

Pursuant to due call and notice thereof, a regular meeting of the North Mankato City Council was held in the Municipal Building Council Chambers on March 5, 2012. Mayor Dehen called the meeting to order at 7:00 p.m. asking that everyone join in the Pledge of Allegiance. The following were present for the meeting, Mayor Dehen, Council Members Norland, Schindle and Freyberg, City Administrator Sande, Finance Director Thorne, City Clerk Gehrke, Attorney Kennedy and Planner Fischer. Absent: Council Member Steiner and Engineer Malm.

Approval of Agenda

Council Member Norland moved, seconded by Council Member Schindle, to approve the agenda as presented. Vote on the motion: Norland, Schindle, Freyberg and Dehen, aye; no nays. Motion carried.

Approval of Minutes

Council Member Freyberg moved, seconded by Council Member Schindle, to approve the minutes of the Council meeting of February 21, 2012. Vote on the motion: Schindle, Freyberg and Dehen, aye; Norland abstained; no nays. Motion carried.

Correspondence**Greater Mankato Growth, Inc. Thank-You**

Mayor Dehen read a thank-you letter from Sara Buchholz of Greater Mankato Growth, Inc. and the Leadership Institute expressing appreciation for the Mayor's participation in the elected officials' presentation on Thursday, February 16, 2012.

Open the Meeting to the Public for the First Time

The Mayor opened the meeting to the public for the first time with no one appearing.

Nicollet County Board Actions

Council Member Norland asked about the status of ARMER. Administrator Sande reported the Nicollet County Commissioners approved the agreement to proceed with the purchase of a new ARMER dispatch console. He also reported the grant submitted for ARMER by Nicollet County Fire Departments was approved. Additional information should be available after the next Nicollet County Commissioner Board meeting.

Council Member Freyberg noted the 2012 LELS union contract with the Correctional Officers and 911 Dispatchers included a 1-1/2 percent Cost-of-Living Adjustment for 2012.

Consent Agenda

Council Member Schindle moved, seconded by Council Member Norland, to approve the Consent Agenda which includes:

- A. Application for Lasting Imprint "Our Community has Heart" 5K Run/Walk, Spring Lake Park, Saturday, May 5, 2012 from 9 a.m. to 10 a.m.

Vote on the motion: Norland, Schindle, Freyberg and Dehen, aye; no nays. Motion carried.

Staff Reports**City Administrator****Application for Final Stretch, Inc. to hold North Mankato Triathlon, Sunday, July 1, 2012 from 8 a.m. to 11 a.m.**

Administrator Sande presented an application from Final Stretch, Inc. to hold the North Mankato Triathlon on Sunday, July 1, 2012 from 8 a.m. to 11 a.m. The Administrator reported that he along with the Mayor and Police Chief met with representatives of Final Stretch on February 27, 2012 to discuss requirements for a proposed triathlon. This would be a for-profit event, increased in size from the previous North Mankato Fun Days Triathlon and would be a closed course. At that meeting, it was agreed Final Stretch would comply with the following items in order to hold a triathlon in North Mankato:

1. Apply for a permit for the event.
2. Request Council approval of road closures from 8 a.m. to approximately 10 a.m. on Sunday, July 1, 2012.
3. Provide liability insurance for the event with the City as a named insured.
4. Reimburse the City of North Mankato for all personnel costs for public safety and public works personnel. That amount is estimated to be \$2,000. It was also agreed that should the event be postponed or cancelled without at least 24 hours prior notice, the required personnel costs would still be paid.
5. Reimburse the City of Mankato and Nicollet County for any personnel costs incurred.

Mayor Dehen stated that Mark Bongers of Final Stretch, Inc. is experienced and runs several triathlons each year. He believes future North Mankato Triathlons will be moved back a week so the event is not so close to the 4th of July. Council Member Freyberg raised the question of receiving a deposit from Final Stretch, Inc. with the application to hold the triathlon. Council Member Schindle expressed his concern about the closure of two main intersections. Mayor Dehen stated the intersections should be closed for approximately one hour for the bike portion of the event. **Council Member Freyberg moved, seconded by Council Member Norland, to approve the application for Final Stretch, Inc. to hold the North Mankato Triathlon on Sunday, July 1, 2012 from 8 a.m. to 11 a.m. subject to the conditions as outline above. Vote on the motion: Norland, Schindle, Freyberg and Dehen, aye; no nays. Motion carried.**

Res. No. 16-12 Authorizing the City of North Mankato to Act as the Fiscal Agent for the Minnesota River Valley Drug Task Force

Administrator Sande presented a resolution authorizing the City of North Mankato to act as fiscal agent for the Minnesota River Valley Drug Task Force for the period of January 1, 2012 through December 31, 2014. This is a joint venture with the Counties of Blue Earth, Martin, Nicollet and Watonwan, and the Cities of Mankato, Madelia, North Mankato, St. James and St. Peter. The Minnesota River Valley Drug Task Force investigates and prosecutes drug cases in member jurisdictions. **Council Member Schindle moved, seconded by Council Member Norland, to adopt Resolution No. 16-12 Authorizing the City of North Mankato to act as the Fiscal Agent for the Minnesota River Valley Drug Task Force for the period of January 1, 2012 through December 31, 2014. Vote on the Resolution: Norland, Schindle, Freyberg and Dehen, aye; no nays. Motion carried.**

Set Board of Appeal and Equalization Meeting for 9 a.m. on Thursday, April 19, 2012 at Police Annex Community Room

Administrator Sande presented a letter from the Nicollet County Assessor setting the Board of Appeal and Equalization meeting for 9 a.m. on Thursday, April 19, 2012 in the North Mankato Police Annex Community Room. This is an opportunity for property owners to discuss the assessed market value of their property with County personnel and members of the Board of Appeal and Equalization. **Council Member Freyberg moved, seconded by Council Member Norland, to set the Board of Appeal and Equalization meeting for 9 a.m. on Thursday, April 19, 2012 in the Police Annex Community Room. Vote on the motion: Norland, Schindle, Freyberg and Dehen, aye; no nays. Motion carried.**

Set Spring Drop-off for April 20-21-22, 2012

Administrator Sande requested the spring drop-off be set for April 20, 21 and 22, 2012 reporting staff received positive comments on the drop-off that was held last fall. He reported the drop-off will be located at the Public Works compound at the corner of Sherman Street and Webster Avenue and Public Works personnel will be present to assist residents with the drop-off. **Council Member Norland moved, seconded by Council Member Schindle, to set spring drop-off for April 20-21-22, 2012 at the Public Works compound located at the corner of Sherman Street and Webster Avenue. Vote on the motion: Norland, Schindle, Freyberg and Dehen, aye; no nays. Motion carried.**

Set Opening of Compost Site for April 2, 2012

Council Member Schindle moved, seconded by Council Member Norland, to set the opening of the compost site for April 2, 2012. Vote on the motion: Norland, Schindle, Freyberg and Dehen, aye; no nays. Motion carried.

Set Water Main Flushing for April 23-May 4, 2012

Council Member Norland moved, seconded by Council Member Freyberg, to set water main flushing for April 23-May 4, 2012. Vote on the motion: Norland, Schindle, Freyberg and Dehen, aye; no nays. Motion carried.

Schools and Conferences

Council Member Schindle moved, seconded by Council Member Freyberg, to approve actual and necessary expenses for the following schools and conferences:

1. Mass Fatality Workshop, Camp Ripley, May 1-3, for Police Chief.
2. Debris Management, St. Paul, April 10-11, for Police Chief.

Vote on the motion: Norland, Schindle, Freyberg and Dehen, aye; no nays. Motion carried.

City Clerk**Voting Precincts and Polling Places**

Clerk Gehrke reported staff has met with Nicollet County and reviewed the precincts for the City of North Mankato based on population, Commissioner Districts and census blocks. She presented a preliminary precinct map outlining the boundaries for seven precincts. Precincts 1-3 will be in one Nicollet County Commissioner District and Precincts 4-6 will be in a second Nicollet County Commissioner District. Precinct 7 is in the growth area of the City and will be in a portion of a third

Nicollet County Commissioner District. The Clerk reported she has contacted potential polling locations and has received approval to hold elections at their facilities. All polling locations comply with Minnesota Statutes and are handicapped accessible. She reported a resolution establishing precincts and designating polling locations for the 2012 Primary and General Elections will be brought before the Council at the March 19, 2012 Council meeting.

City Engineer

Administer Sande reported the Minnesota Department of Transportation will be holding a public informational meeting for the T.H. 14/CSAH 41 Interchange and the T.H. 14 four-lane expansion project for all North Mankato businesses and interested residents. The meeting will be held on Thursday, March 15, 2012 from 4-7 p.m. in the North Mankato Municipal Building, 1001 Belgrade Avenue. He reported that T.H. 14 traffic will be detoured to county roads and city streets for the majority of Phase 1 construction. Information on detour routes, potential traffic impacts, and the anticipated project schedule will be presented at this meeting. Council Member Schindle requested property owners along County Road 6 be notified of the meeting. In response to a question, he reported that at the conclusion of the project County Road 6 will be severed at T.H. 14.

City Attorney

Attorney Kennedy reported back to the Council regarding the actions taken by the Stillwater City Council regarding their annual Lumberjack Days celebration. He reported the Stillwater Council adopted a resolution canceling the contract with the Lumberjack Days Festival Association, Inc., because among other things, the Lumberjack Days Association had not paid for goods and services rendered and delivered to the Association for the event, RES Specialty Pyrotechnics had not been paid for fireworks for the 4th of July and Lumberjack Days for the years 2008 and 2009 in the amount of \$104,620 even though the City of Stillwater had contributed \$40,000 toward the cost of fireworks in each of those years, vendors had not been paid in 2010 and 2011 and the City had not received verification of gate receipts for 2010. A copy of the City Attorney's full report on the Stillwater Lumberjack Days will be forwarded to the Council.

Report from Council Members

Council Member Norland

Council Member Norland thanked the Library Director for setting up the Foundation Center Grant Collection. Information is available at the North Mankato Taylor Library or on the North Mankato Taylor Library website.

Report from Mayor

Res. No. 17-12 Making Appointment to the Board of Appeal and Equalization

Mayor Dehen reported he has selected John Stoffel, who is an auditor with Eide Bailley, LLP, to fill an opening on the Board of Appeal and Equalization. **Council Member Schindle moved, seconded by Council Member Norland, to adopt Resolution No. 17-12 appointing John Stoffel to the Board of Appeal and Equalization for the period of March 5, 2012 to December 31, 2013. Vote on the Resolution: Norland, Schindle, Freyberg and Dehen, aye; no nays. Motion carried.**

The Mayor reported "Coffee with the Council" will be held from 10-11 a.m. on Saturday, March 10, 2012 at a location yet to be determined.

Open the Meeting to the Public for the Second Time

Phil Henry, 1300 Noretta Drive

Phil Henry, 1300 Noretta Drive, appeared before the Council and asked if the expansion of the South Central Service Coop parking lot was a City project. Administrator Sande reported he is on the Board of the South Central Service Coop, that SCSC is expanding their parking lot and the City is not involved in the project.

Mr. Henry also inquired about the payment to the Minnesota Department of Health in the amount of \$7,466. Administrator Sande reported the City is mandated to collect \$.44 per month from each residence connected to City water and remit it to the Minnesota Department of Health.

Bills and Appropriations

Council Member Norland moved, seconded by Council Member Freyberg, to approve all bills and appropriations in the amounts of \$78,090.87 and \$599,961.15. Vote on the motion: Norland, Schindle, Freyberg and Dehen, aye; no nays. Motion carried.

There being no further business, the meeting was adjourned at 7:35 p.m.

Mayor

City Clerk

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item # 8A1 & 8A2

Department: Admin.

Council Meeting Date: 03/19/12

TITLE OF ISSUE: Paul Donna, Northland Securities, Inc. - Recommendations of Sale of \$1,820,000 General Obligation Crossover Refunding Bonds, Series 2012A

BACKGROUND AND SUPPLEMENTAL INFORMATION: Paul Donna from Northland Securities will be on-hand to make recommendations on award of the sale of the bonds. Bond counsel has recommended adoption of the enclosed post-issuance compliance procedure and policy for tax-exempt governmental bonds. The enhanced compliance issues relate to possible private use of bond-financed facilities. None of the facilities financed by these bond issues involve any private use.

If additional space is required, attach a separate sheet

REQUESTED COUNCIL ACTION: Adopt Resolutions

For Clerk's Use:

Motion By: _____

Second By: _____

Vote Record:

Aye Nay

_____	_____	Norland
_____	_____	Schindle
_____	_____	Freyberg
_____	_____	Steiner
_____	_____	Dehen

SUPPORTING DOCUMENTS ATTACHED

Resolution Ordinance Contract Minutes Map

☒ ☐ ☐ ☐ ☐

Other (specify) _____

Memorandum, Policy _____

☐ Workshop

☒ Regular Meeting

☐ Special Meeting

☐ Refer to: _____

☐ Table until: _____

☐ Other: _____

Extract of Minutes of Meeting
of the City Council of the City of
North Mankato, Nicollet County, Minnesota

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of North Mankato, Minnesota, was duly held in the City Hall in said City on Monday, March 19, 2012, commencing at 7:00 P.M.

The following members were present:

and the following were absent:

* * *

* * *

* * *

The Mayor announced that the next order of business was consideration of the proposals which had been received for the purchase of the City's General Obligation Crossover Refunding Bonds, Series 2012A, proposed to be issued in the original aggregate principal amount of \$1,820,000.

The City Administrator presented a tabulation of the proposals which had been received in the manner specified in the Terms of Proposal for the Bonds. The proposals were as set forth in EXHIBIT A attached.

After due consideration of the proposals, Member _____ then introduced the following resolution and moved its adoption:

RESOLUTION NO. _____

**A RESOLUTION AWARDED THE SALE OF GENERAL
OBLIGATION CROSSOVER REFUNDING BONDS,
SERIES 2012A, IN THE ORIGINAL AGGREGATE PRINCIPAL
AMOUNT OF \$1,820,000; FIXING THEIR FORM AND
SPECIFICATIONS; DIRECTING THEIR EXECUTION AND
DELIVERY; PROVIDING FOR THEIR PAYMENT; PROVIDING
FOR THE ESCROWING AND INVESTMENT OF THE
PROCEEDS THEREOF; AND PROVIDING FOR THE
REDEMPTION OF BONDS REFUNDED THEREBY**

BE IT RESOLVED By the City Council of the City of North Mankato, Nicollet County, Minnesota (the "City") as follows:

Section 1. Findings; Sale of Bonds.

1.01. Authorization. Pursuant to a resolution adopted by the City Council on February 14, 2012, the City gave its preliminary approval to the issuance of its General Obligation Crossover Refunding Bonds, Series 2012A (the "Bonds"), in the proposed aggregate principal amount of \$1,820,000, in order to provide funds to refund in advance of maturity and at their respective redemption dates the following outstanding obligations of the City (collectively, the "Refunded Bonds"):

(a) the 2016 through 2020 maturities of the City's General Obligation Street Reconstruction Bonds, Series 2004A (the "Refunded Street Reconstruction Bonds"), dated June 1, 2004, issued in the original aggregate principal amount of \$1,035,000 and currently outstanding in the aggregate principal amount of \$615,000, of which \$410,000 in principal amount will be called for redemption on February 1, 2015;

(b) the 2016 through 2025 maturities of the City's General Obligation Capital Improvement Plan Bonds, Series 2004B (the "Refunded CIP Bonds"), dated June 1, 2004, issued in the original aggregate principal amount of \$1,445,000 and currently outstanding in the aggregate principal amount of \$1,060,000, of which \$860,000 in principal amount will be called for redemption on February 1, 2015; and

(c) the 2014 through 2016 maturities of the City's General Obligation Improvement Bonds, Series 2005D (the "Refunded Improvement Bonds"), dated October 1, 2005, issued in the original aggregate principal amount of \$1,600,000 and currently outstanding in the aggregate principal amount of \$615,000, of which \$455,000 in principal amount will be called for redemption on February 1, 2013.

1.02. Award to the Purchaser and Interest Rates. The proposal of _____ (the "Purchaser") to purchase the Bonds of the City is determined to be a reasonable offer and is accepted, the proposal being to purchase the Bonds price of \$ _____ (par amount of \$1,820,000.00, [plus original issue premium of \$ _____,] [less original issue discount of \$ _____,] less underwriter's discount of \$ _____), plus accrued interest to date of delivery, if any, for Bonds bearing interest as follows:

<u>Year</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Interest Rate</u>
2014	%	2020	%
2015		2021	
2016		2022	
2017		2023	
2018		2024	
2019		2025	

True interest cost: _____%

1.03. Purchase Contract. The sum of \$_____, being the amount proposed by the Purchaser in excess of \$1,801,800, shall be credited to the Debt Service Fund hereinafter created or the Escrow Fund hereinafter created unless the funds are determined to be deposited in another fund by action of the City Administrator in consultation with the City's financial advisor. The City Administrator is directed to deposit the good faith check of the Purchaser, pending completion of the sale of the Bonds, and to return the good faith checks of the unsuccessful proposers forthwith. The Mayor and City Administrator are directed to execute a contract with the Purchaser on behalf of the City.

1.04. Terms and Principal Amount of Bonds. The City will forthwith issue and sell the Bonds pursuant to Minnesota Statutes, Chapters 429 and 475, as amended, and Minnesota Statutes, Sections 475.58, subdivision 3b, 475.521, and 475.67, subdivision 13 (collectively, the "Act"), in the original aggregate principal amount of \$1,820,000, originally dated April 1, 2012, in the denomination of \$5,000 each or any integral multiple thereof, numbered No. R-1, upward, bearing interest as above set forth, and maturing serially on February 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2014	\$	2020	\$
2015		2021	
2016		2022	
2017		2023	
2018		2024	
2019		2025	

(a) \$_____ in principal amount of the Bonds (the "Street Reconstruction Refunding Bonds") maturing in the amounts and on the dates set forth below are being used to refund in advance of maturity and at their redemption date the 2016 through 2020 maturities of the Refunded Street Reconstruction Bonds portion of the Refunded Bonds:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2016	\$	2019	\$
2017		2020	
2018			

(b) \$_____ in principal amount of the Bonds (the "CIP Refunding Bonds") maturing in the amounts and on the dates set forth below are being used to refund in advance of maturity and at their redemption date the 2016 through 2025 maturities of the Refunded CIP Bonds portion of the Refunded Bonds:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2016	\$	2021	\$
2017		2022	
2018		2023	
2019		2024	
2020		2025	

(c) The remainder of the Bonds in the principal amount of \$_____ (the “Improvement Refunding Bonds”) maturing in the amounts and on the dates set forth below are being used to refund in advance of maturity and at their redemption date the outstanding 2014 through 2016 maturities of the Refunded Improvement Bonds portion of the Refunded Bonds:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2014	\$	2016	\$
2015			

1.05. Optional Redemption. The City may elect on February 1, 2021, and on any day thereafter to prepay Bonds due on or after February 1, 2022. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify DTC (as defined in Section 12 hereof) of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant’s interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

[1.06. Term Bonds; Mandatory Redemption. To be completed if Term Bonds are requested by the Purchaser.]

Section 2. Registration and Payment.

2.01. Registered Form. The Bonds will be issued only in fully registered form. The interest thereon and, upon surrender of each Bond, the principal amount thereof, is payable by check or draft issued by the Registrar described herein.

2.02. Dates; Interest Payment Dates. Each Bond will be dated as of the last interest payment date preceding the date of authentication to which interest on the Bond has been paid or made available for payment, unless (i) the date of authentication is an interest payment date to which interest has been paid or made available for payment, in which case the Bond will be dated as of the date of authentication, or (ii) the date of authentication is prior to the first interest payment date, in which case the Bond will be dated as of the date of original issue. The interest on the Bonds is payable on February 1 and August 1 of each year, commencing February 1, 2013, to the registered owners of record as of the close of business on the fifteenth day of the immediately preceding month, whether or not that day is a business day.

2.03. Registration. The City will appoint a bond registrar, transfer agent, authenticating agent and paying agent (the “Registrar”). The effect of registration and the rights and duties of the City and the Registrar with respect thereto are as follows:

(a) Register. The Registrar must keep at its principal corporate trust office a bond register in which the Registrar provides for the registration of ownership of Bonds and the registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged.

(b) Transfer of Bonds. Upon surrender for transfer of a Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar will authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth day of the month preceding each interest payment date and until that interest payment date.

(c) Exchange of Bonds. When Bonds are surrendered by the registered owner for exchange the Registrar will authenticate and deliver one or more new Bonds of a like aggregate principal amount and maturity as requested by the registered owner or the owner's attorney in writing.

(d) Cancellation. Bonds surrendered upon transfer or exchange will be promptly cancelled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When a Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the Bond until the Registrar is satisfied that the endorsement on the Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar will incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The City and the Registrar may treat the person in whose name a Bond is registered in the bond register as the absolute owner of the Bond, whether the Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on the Bond and for all other purposes, and payments so made to a registered owner or upon the owner's order will be valid and effectual to satisfy and discharge the liability upon the Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. The Registrar may impose a charge upon the owner thereof for a transfer or exchange of Bonds sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to the transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. If a Bond becomes mutilated or is destroyed, stolen or lost, the Registrar will deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of and in substitution for any Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that the Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar an appropriate bond or indemnity in form, substance and amount satisfactory to it and as provided by law, in which both the City and the Registrar must be named as obligees. Bonds so surrendered to the Registrar will be cancelled by the Registrar and evidence of such cancellation must be given to the City. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms it is not necessary to issue a new Bond prior to payment.

(i) Redemption. In the event any of the Bonds are called for redemption, notice thereof identifying the Bonds to be redeemed will be given by the Registrar by mailing a copy of the redemption notice by first class mail (postage prepaid) to the registered owner of each Bond to be

redeemed at the address shown on the registration books kept by the Registrar and by publishing the notice if required by law. Failure to give notice by publication or by mail to any registered owner, or any defect therein, will not affect the validity of any proceeding for the redemption of Bonds. Bonds so called for redemption will cease to bear interest after the specified redemption date, provided that the funds for the redemption are on deposit with the place of payment at that time.

2.04. Appointment of Initial Registrar. The City appoints Wells Fargo Bank, National Association, Minneapolis, Minnesota, as the initial Registrar. The Mayor and the City Administrator are authorized to execute and deliver, on behalf of the City, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, the resulting corporation is authorized to act as successor Registrar. The City agrees to pay the reasonable and customary charges of the Registrar for the services performed. The City reserves the right to remove the Registrar upon 30 days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar must deliver all cash and Bonds in its possession to the successor Registrar and must deliver the bond register to the successor Registrar. On or before each principal or interest due date, without further order of this Council, the City Administrator must transmit to the Registrar moneys sufficient for the payment of all principal and interest then due.

2.05. Execution, Authentication and Delivery. The Bonds will be prepared under the direction of the City Administrator and executed on behalf of the City by the signatures of the Mayor and the City Administrator, provided that those signatures may be printed, engraved or lithographed facsimiles of the originals. If an officer whose signature or a facsimile of whose signature appears on the Bonds ceases to be such officer before the delivery of a Bond, that signature or facsimile will nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery. Notwithstanding such execution, a Bond will not be valid or obligatory for any purpose or entitled to any security or benefit under this resolution unless and until a certificate of authentication on the Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on a Bond is conclusive evidence that it has been authenticated and delivered under this resolution. When the Bonds have been so prepared, executed and authenticated, the City Administrator will deliver the same to the Purchaser upon payment of the purchase price in accordance with the contract of sale heretofore made and executed, and the Purchaser is not obligated to see to the application of the purchase price.

2.06. Temporary Bonds. The City may elect to deliver in lieu of printed definitive Bonds one or more typewritten temporary Bonds in substantially the form set forth in EXHIBIT B attached hereto, with such changes as may be necessary to reflect more than one maturity in a single temporary bond. Upon the execution and delivery of definitive Bonds the temporary Bonds will be exchanged therefor and cancelled.

Section 3. Form of Bond.

3.01. Execution of the Bonds. The Bonds will be printed or typewritten in substantially the form attached hereto as EXHIBIT B.

3.02. Approving Legal Opinion. The City Administrator is authorized and directed to obtain a copy of the proposed approving legal opinion of Kennedy & Graven, Chartered, Minneapolis, Minnesota, which is to be complete except as to dating thereof and cause the opinion to be printed on or accompany each Bond.

Section 4. Bonds; Security; Covenants; Escrow.

4.01. Debt Service Fund. For the convenience and proper administration of the moneys to be borrowed and repaid on the Bonds, and to provide adequate and specific security for the Purchaser and holders from time to time of the Bonds, there is hereby created a special fund to be designated the Refunding Bonds, Series 2012A Debt Service Fund (the "Debt Service Fund") to be administered and maintained by the City Administrator as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the City. The Debt Service Fund will be maintained in the manner herein specified until all of the Refunded Bonds have been paid and until all of the Bonds and the interest thereon have been fully paid. The City will maintain the following accounts in the Debt Service Fund: the "Street Reconstruction Account," the "CIP Account," and the "Improvement Account."

(a) Street Reconstruction Account. To the Street Reconstruction Account of the Debt Service Fund, there is hereby pledged and irrevocably appropriated and there will be credited: (i) a pro rata portion of any balance remitted to the City upon the termination of the Escrow Agreement (as defined herein); (ii) collections of all taxes hereafter levied for the payment of the Street Reconstruction Refunding Bonds and interest thereon; (iii) after February 1, 2015 (the "Refunded Street Reconstruction Bonds Redemption Date"), taxes collected for the payment of the Refunded Street Reconstruction Bonds after the Refunded Street Reconstruction Bonds Redemption Date pursuant to levies made in the resolution authorizing the sale and issuance of the Refunded Street Reconstruction Bonds (the "Refunded Street Reconstruction Bonds Resolution"), which levies will not be cancelled except as permitted by Section 475.61, subdivision 3 of the Act; (iv) all investment earnings on funds in the Street Reconstruction Account; and (v) any and all other moneys which are properly available and appropriated by the City Council to the Street Reconstruction Account. The amount of any surplus remaining in the Street Reconstruction Account when the Street Reconstruction Refunding Bonds and interest thereon are paid will be used as provided in Section 475.61, subdivision 4 of the Act.

There is also appropriated to the Street Reconstruction Account of the Debt Service Fund a pro rata portion of (i) amounts over the minimum purchase price paid by the Purchaser, to the extent designated for deposit in the Debt Service Fund in accordance with Section 1.03; and (ii) the accrued interest paid by the Purchaser upon closing and delivery of the Bonds, if any. The debt service fund heretofore established for the Refunded Street Reconstruction Bonds pursuant to the Refunded Street Reconstruction Bonds Resolution shall be terminated after the Refunded Street Reconstruction Bonds Redemption Date, and all monies therein are hereby transferred to the Street Reconstruction Account herein created.

(b) CIP Account. To the CIP Account of the Debt Service Fund, there is hereby pledged and irrevocably appropriated and there will be credited: (i) a pro rata portion of any balance remitted to the City upon the termination of the Escrow Agreement; (ii) collections of all taxes hereafter levied for the payment of the CIP Refunding Bonds and interest thereon; (iii) after February 1, 2015 (the "Refunded CIP Bonds Redemption Date"), taxes collected for the payment of the Refunded CIP Bonds after the Refunded CIP Bonds Redemption Date pursuant to levies made in the resolution authorizing the sale and issuance of the Refunded CIP Bonds (the "Refunded CIP Bonds Resolution"), which levies will not be cancelled except as permitted by Section 475.61, subdivision 3 of the Act; (iv) all investment earnings on funds in the CIP Account; and (v) any and all other moneys which are properly available and appropriated by the City Council to the CIP. The amount of any surplus remaining in the CIP when the CIP Refunding Bonds and interest thereon are paid will be used as provided in Section 475.61, subdivision 4 of the Act.

There is also appropriated to the CIP Account of the Debt Service Fund a pro rata portion of (i) amounts over the minimum purchase price paid by the Purchaser, to the extent designated for deposit in the Debt Service Fund in accordance with Section 1.03; and (ii) the accrued interest paid by the Purchaser upon closing and delivery of the Bonds, if any. The debt service fund heretofore established for the Refunded CIP Bonds pursuant to the Refunded CIP Bonds Resolution shall be terminated after the Refunded CIP Bonds Redemption Date, and all monies therein are hereby transferred to the CIP Account herein created.

(c) Improvement Account. To the Improvement Account of the Debt Service Fund, there is hereby pledged and irrevocably appropriated and there will be credited: (i) a pro rata portion of any balance remitted to the City upon the termination of the Escrow Agreement; (ii) any collections of all taxes hereafter levied for the payment of the Improvement Refunding Bonds and interest thereon; (iii) special assessments levied for the payment of the improvements financed with the Refunded Improvement Bonds; (iv) after February 1, 2013 (the "Refunded Improvement Bonds Redemption Date"), taxes collected for the payment of the Refunded Improvement Bonds after the Refunded Improvement Bonds Redemption Date pursuant to levies made in the resolution authorizing the sale and issuance of the Refunded Improvement Bonds (the "Refunded Improvement Bonds Resolution"), which levies will not be cancelled except as permitted by Section 475.61, subdivision 3 of the Act; (v) all investment earnings on funds in the Improvement Account; and (vi) any and all other moneys which are properly available and appropriated by the City Council to the Improvement Account. The amount of any surplus remaining in the Improvement Account when the Improvement Refunding Bonds and interest thereon are paid will be used as provided in Section 475.61, subdivision 4 of the Act.

There is also appropriated to the Improvement Account of the Debt Service Fund a pro rata portion of (i) amounts over the minimum purchase price paid by the Purchaser, to the extent designated for deposit in the Debt Service Fund in accordance with Section 1.03; and (ii) the accrued interest paid by the Purchaser upon closing and delivery of the Bonds, if any. The debt service fund heretofore established for the Refunded Improvement Bonds pursuant to the Refunded Improvement Bonds Resolution shall be terminated after the Refunded Improvement Bonds Redemption Date, and all monies therein are hereby transferred to the Improvement Account herein created.

4.02. Escrow Fund. A portion of the proceeds of the Bonds in the amount of \$_____ will be deposited in a separate fund (the "Escrow Fund") maintained by Wells Fargo Bank, National Association, Minneapolis, Minnesota, acting as escrow agent (the "Escrow Agent"). Such funds will be received by the Escrow Agent and applied to fund the Escrow Fund or to pay costs of issuing the Bonds. Proceeds of the Bonds not used to pay costs of issuance on the Bonds are hereby irrevocably pledged and appropriated to the Escrow Fund, together with all investment earnings thereon. The Escrow Fund will be invested in securities maturing or callable at the option of the holder on such dates and bearing interest at such rates as will be required to provide sufficient funds, together with any cash or other funds retained in the Escrow Fund to (i) pay when due the interest to accrue on the Bonds to and including the Redemption Date; and (ii) pay on the Redemption Date the principal amount of the Refunded Bonds then outstanding. The Escrow Fund will be irrevocably appropriated to the payment of the interest on the Bonds and the payment of the principal of the Refunded Bonds until the proceeds of the Bonds therein are applied to prepayment of the Refunded Bonds. The moneys in the Escrow Fund will be used solely for the purposes herein set forth and for no other purpose, except that any surplus in the Escrow Fund may be remitted to the City, all in accordance with the Escrow Agreement by and between the City and the Escrow Agent. Any moneys remitted to the City upon termination of the Escrow Agreement will be deposited in the Debt Service Fund.

4.03. General Obligation Pledge. For the prompt and full payment of the principal and interest on the Bonds, as the same respectively become due, the full faith, credit and taxing powers of the City will be

and are hereby irrevocably pledged. If the balance in the Escrow Fund or Debt Service Fund is ever insufficient to pay all principal and interest then due on the Bonds and any other bonds payable therefrom, the deficiency will be promptly paid out of monies in the general fund of the City which are available for such purpose, and such general fund may be reimbursed with or without interest from the Escrow Fund or Debt Service Fund when a sufficient balance is available therein.

4.04. Pledge of Tax Levies.

(a) To provide moneys for payment of the principal and interest on the Street Reconstruction Refunding Bonds maturing after the Refunded Street Reconstruction Bonds Redemption Date, the CIP Refunding Bonds maturing after the Refunded CIP Bonds Redemption Date, and the Improvement Refunding Bonds maturing after the Refunded Improvement Bonds Redemption Date, there is hereby levied a direct annual irrevocable ad valorem tax upon all of the taxable property in the City which will be spread upon the tax rolls and collected with and as part of other general taxes of the City. Such tax will be credited to the Street Reconstruction Account, CIP Account, and Improvement Account, respectively, of the Debt Service Fund above provided and will be in the years and in the amounts attached hereto as EXHIBIT C.

(b) The tax levies are such that if collected in full they, together with estimated collections of investment earnings (and until the Refunded Street Reconstruction Bonds Redemption Date, the Refunded CIP Bonds Redemption Date, and the Refunded Improvement Bonds Redemption Date, a pro rata portion of all amounts in the Escrow Fund), ad valorem taxes, special assessments, and other revenues herein pledged for the payment of the Bonds, will produce at least five percent in excess of the amount needed to meet when due the principal and interest payments on the Bonds. The tax levies will be irrevocable so long as any of the Bonds are outstanding and unpaid, provided that the City reserves the right to reduce the levies in the manner and to the extent permitted by Section 475.61, subdivision 3 of the Act.

4.05. Cancellation of Prior Levies after Redemption Date. Following the payment in full of all outstanding principal of and interest on the Refunded Street Reconstruction Bonds on the Refunded Street Reconstruction Bonds Redemption Date, the Refunded CIP Bonds on the Refunded CIP Bonds Redemption Date, and the Refunded Improvement Bonds on the Refunded Improvement Bonds Redemption Date, the City Administrator is hereby directed to certify such fact to and request the County Auditor-Treasurer of Nicollet County, Minnesota to cancel any and all tax levies for taxes made by the Refunded Street Reconstruction Bonds Resolution, the Refunded CIP Bonds Resolution, and the Refunded Improvement Bonds Resolution.

4.06. Filing of Resolution. The City Administrator is authorized and directed to file a certified copy of this resolution with the County Auditor-Treasurer and to obtain the certificate required by Section 475.63 of the Act.

Section 5. Refunding; Findings; Redemption of Refunded Bonds.

5.01. Purpose of Refunding. The Refunded Bonds consist of the City's Refunded Street Reconstruction Bonds, Refunded CIP Bonds, and Refunded Improvement Bonds. The 2016 through 2020 maturities of the Refunded Street Reconstruction Bonds will be called for redemption on February 1, 2015 in the principal amount of \$410,000. The 2016 through 2025 maturities of the Refunded CIP Bonds will be called for redemption on February 1, 2015 in the principal amount of \$860,000. The 2014 through 2016 maturities of the Refunded Improvement Bonds will be called for maturity on February 1, 2013 in the principal amount of \$455,000. It is hereby found and determined that based upon information presently available from the City's financial advisor, the issuance of the Bonds, a

portion of which will be used to redeem and prepay the Refunded Bonds, is consistent with covenants made with the holders of the Refunded Bonds.

5.02. Findings. It is hereby found and determined that based upon information presently available from the City's financial advisors, the issuance of the Bonds will result in a reduction of debt service cost to the City on the Refunded Bonds, such that the present value of such debt service or interest cost savings (the "Reduction") is at least 3.00% of the debt service on the Refunded Bonds. The Reduction, after the inclusion of all authorized expenses of refunding in the computation of the effective interest rate on the Bonds, is adequate to authorize the issuance of the Bonds as provided by Section 475.67, subdivisions 12 and 13 of the Act.

5.03. Proceeds Pledged to the Escrow Fund. As of the date of delivery of and payment for the Bonds, proceeds of the Bonds are hereby pledged and appropriated and will be deposited in the Escrow Fund as follows: (i) \$_____ for the purposes of redeeming the principal amount of the 2016 through 2020 maturities of the Refunded Street Reconstruction Bonds on the Refunded Street Reconstruction Bonds Redemption Date and paying interest on the Street Reconstruction Refunding Bonds through the Refunded Street Reconstruction Bonds Redemption Date; (ii) \$_____ for the purposes of redeeming the principal amount of the 2016 through 2025 maturities of the Refunded CIP Bonds on the Refunded CIP Bonds Redemption Date and paying interest on the CIP Refunding Bonds through the Refunded CIP Bonds Redemption Date; (iii) \$_____ for the purposes of redeeming the principal amount of the 2014 through 2016 maturities of the Refunded Improvement Bonds on the Refunded Improvement Bonds Redemption Date and paying interest on the Improvement Refunding Bonds through the Refunded Improvement Bonds Redemption Date; and (iv) \$_____ for the purposes of payment of interest on the Bonds. Proceeds of the Bonds in the amount of \$_____ will be deposited in the Escrow Fund to pay the costs of issuance of the Bonds.

5.04. Securities to Fund Escrow Fund. Securities purchased, if any, from the moneys in the Escrow Fund will be limited to securities specified in Section 475.67, subdivision 8 of the Act. Northland Securities, Inc., and/or Wells Fargo Bank, National Association, as agent for the City, is hereby authorized and directed to purchase for and on behalf of the City and in its name, appropriate securities to fund the Escrow Fund. Upon the issuance and delivery of the Bonds, the securities so purchased will be deposited with the Escrow Agent and held pursuant to the terms of the Escrow Agreement (as defined herein) and the resolution.

5.05. Notice of Redemption. The Refunded Street Reconstruction Bonds maturing on February 1, 2016, and thereafter will be redeemed and prepaid on the Refunded Street Reconstruction Bonds Redemption Date in accordance with their terms and in accordance with the terms and conditions set forth in the form of Notice of Call for Redemption attached hereto as EXHIBIT D-1, which terms and conditions are hereby approved and incorporated by reference. The Refunded CIP Bonds maturing on February 1, 2016, and thereafter will be redeemed and prepaid on the Refunded CIP Bonds Redemption Date in accordance with their terms and in accordance with the terms and conditions set forth in the form of Notice of Call for Redemption attached hereto as EXHIBIT D-2, which terms and conditions are hereby approved and incorporated by reference. The Refunded Improvement Bonds maturing on February 1, 2014, and thereafter will be redeemed and prepaid on the Refunded Improvement Bonds Redemption Date in accordance with their terms and in accordance with the terms and conditions set forth in the form of Notice of Call for Redemption attached hereto as EXHIBIT D-3, which terms and conditions are hereby approved and incorporated by reference. The registrars for the Refunded Bonds is authorized and directed to send a copy of the Notice of Call for Redemption to each registered holder of the Refunded Bonds.

5.06. Escrow Agreement. On or prior to the delivery of the Bonds, the Mayor and the City Administrator are hereby authorized and directed to execute on behalf of the City an escrow agreement

(the "Escrow Agreement") with the Escrow Agent in substantially the form now on file with the City Administrator. All essential terms and conditions of the Escrow Agreement including payment by the City of reasonable charges for the services of the Escrow Agent, are hereby approved and adopted and made a part of this resolution, and the City covenants that it will promptly enforce all provisions thereof in the event of default thereunder by the Escrow Agent.

Section 6. Authentication of Transcript.

6.01. City Proceedings and Records. The officers of the City are authorized and directed to prepare and furnish to the Purchaser and to the attorneys approving the Bonds, certified copies of proceedings and records of the City relating to the Bonds and to the financial condition and affairs of the City, and such other certificates, affidavits and transcripts as may be required to show the facts within their knowledge or as shown by the books and records in their custody and under their control, relating to the validity and marketability of the Bonds, and such instruments, including any heretofore furnished, may be deemed representations of the City as to the facts stated therein.

6.02. Certification as to Official Statement. The Mayor, City Administrator, and Finance Director are hereby authorized and directed to certify that they have examined the Official Statement prepared and circulated in connection with the issuance and sale of the Bonds and that to the best of their knowledge and belief the Official Statement is a complete and accurate representation of the facts and representations made therein as of the date of the Official Statement.

6.03. Other Certificates. The Mayor and City Administrator are hereby authorized and directed to furnish to the Purchaser at the closing such certificates as are required as a condition of sale. Unless litigation shall have been commenced and be pending questioning the Bonds or the organization of the City or incumbency of its officers, at the closing the Mayor and the City Administrator shall also execute and deliver to the Purchaser a suitable certificate as to absence of material litigation, and the Finance Director shall also execute and deliver a certificate as to payment for and delivery of the Bonds.

Section 7. Tax Covenants.

7.01. Tax-Exempt Bonds. The City covenants and agrees with the holders from time to time of the Bonds that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Bonds to become subject to taxation under the Internal Revenue Code of 1986, as amended (the "Code"), and the Treasury Regulations promulgated thereunder, in effect at the time of such actions, and that it will take or cause its officers, employees or agents to take, all affirmative action within its power that may be necessary to ensure that such interest will not become subject to taxation under the Code and applicable Treasury Regulations, as presently existing or as hereafter amended and made applicable to the Bonds.

7.02. No Rebate Required.

(a) The City will comply with requirements necessary under the Code to establish and maintain the exclusion from gross income of the interest on the Bonds under Section 103 of the Code, including without limitation requirements relating to temporary periods for investments, limitations on amounts invested at a yield greater than the yield on the Bonds, and the rebate of excess investment earnings to the United States, if the Bonds (together with other obligations reasonably expected to be issued in calendar year 2012) exceed the small-issuer exception amount of \$5,000,000.

(b) For purposes of qualifying for the small issuer exception to the federal arbitrage rebate requirements, the City finds, determines and declares that the aggregate face amount of all tax-exempt bonds (other than private activity bonds) issued by the City (and all subordinate entities of the City) during the calendar year in which the Bonds are issued and outstanding at one time is not reasonably expected to exceed \$5,000,000, all within the meaning of Section 148(f)(4)(D) of the Code. Furthermore, with respect to the Street Reconstruction Refunding Bonds and CIP Refunding Bonds:

(i) each of the Refunded Street Reconstruction Bonds and Series 2005B CIP Bonds was issued as part of an issue which was treated as meeting the rebate requirements by reason of the exception for governmental units issuing \$5,000,000 or less of bonds;

(ii) the average maturity of the Street Reconstruction Refunding Bonds and CIP Refunding Bonds does not exceed the remaining average maturity of the Refunded Street Reconstruction Bonds and Refunded CIP Bonds, respectively; and

(iii) no maturity of the Street Reconstruction Refunding Bonds and the CIP Refunding Bonds has a maturity date which is later than the date which is 30 years after the date the Refunded Street Reconstruction Bonds and Refunded CIP Bonds, respectively, were issued.

7.03. Not Private Activity Bonds. The City further covenants not to use the proceeds of the Bonds or to cause or permit them or any of them to be used, in such a manner as to cause the Bonds to be "private activity bonds" within the meaning of Sections 103 and 141 through 150 of the Code.

7.04. Qualified Tax-Exempt Obligations. In order to qualify the Bonds as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code, the City makes the following factual statements and representations:

(a) the Bonds are not "private activity bonds" as defined in Section 141 of the Code;

(b) the City hereby designates the Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code;

(c) the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds which are not qualified 501(c)(3) bonds) which will be issued by the City (and all subordinate entities of the City) during calendar year 2012 will not exceed \$10,000,000; and

(d) not more than \$10,000,000 of obligations issued by the City during calendar year 2012 have been designated for purposes of Section 265(b)(3) of the Code.

7.05. Procedural Requirements. The City will use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designations made by this section.

Section 8. Book-Entry System; Limited Obligation of City.

8.01. The Depository Trust Company. The Bonds will be initially issued in the form of a separate single typewritten or printed fully registered Bond for each of the maturities set forth in Section 1.04 hereof. Upon initial issuance, the ownership of each such Bond will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York, and its successors and assigns ("DTC"). Except as provided in this section, all of the outstanding

Bonds will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC.

8.02. Participants. With respect to Bonds registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC, the City, the Registrar and the Paying Agent will have no responsibility or obligation to any broker dealers, banks and other financial institutions from time to time for which DTC holds Bonds as securities depository (the "Participants") or to any other person on behalf of which a Participant holds an interest in the Bonds, including but not limited to any responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any Participant or any other person (other than a registered owner of Bonds, as shown by the registration books kept by the Registrar), of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any Participant or any other person, other than a registered owner of Bonds, of any amount with respect to principal of, premium, if any, or interest on the Bonds. The City, the Registrar and the Paying Agent may treat and consider the person in whose name each Bond is registered in the registration books kept by the Registrar as the holder and absolute owner of such Bond for the purpose of payment of principal, premium and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bonds, and for all other purposes. The Paying Agent will pay all principal of, premium, if any, and interest on the Bonds only to or on the order of the respective registered owners, as shown in the registration books kept by the Registrar, and all such payments will be valid and effectual to fully satisfy and discharge the City's obligations with respect to payment of principal of, premium, if any, or interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner of Bonds, as shown in the registration books kept by the Registrar, will receive a certificated Bond evidencing the obligation of this resolution. Upon delivery by DTC to the City Administrator of a written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the words "Cede & Co." will refer to such new nominee of DTC; and upon receipt of such a notice, the City Administrator will promptly deliver a copy of the same to the Registrar and Paying Agent.

8.03. Representation Letter. The City has heretofore executed and delivered to DTC a Blanket Issuer Letter of Representations (the "Representation Letter") which shall govern payment of principal of, premium, if any, and interest on the Bonds and notices with respect to the Bonds. Any Paying Agent or Registrar subsequently appointed by the City with respect to the Bonds will agree to take all action necessary for all representations of the City in the Representation Letter with respect to the Registrar and Paying Agent, respectively, to be complied with at all times.

8.04. Transfers Outside Book-Entry System. In the event the City, by resolution of the City Council, determines that it is in the best interests of the persons having beneficial interests in the Bonds that they be able to obtain Bond certificates, the City will notify DTC, whereupon DTC will notify the Participants, of the availability through DTC of Bond certificates. In such event the City will issue, transfer and exchange Bond certificates as requested by DTC and any other registered owners in accordance with the provisions of this Resolution. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and discharging its responsibilities with respect thereto under applicable law. In such event, if no successor securities depository is appointed, the City will issue and the Registrar will authenticate Bond certificates in accordance with this resolution and the provisions hereof will apply to the transfer, exchange and method of payment thereof.

8.05. Payments to Cede & Co. Notwithstanding any other provision of this Resolution to the contrary, so long as a Bond is registered in the name of Cede & Co., as nominee of DTC, payments with respect to principal of, premium, if any, and interest on the Bond and notices with respect to the Bond will be made and given, respectively in the manner provided in DTC's Operational Arrangements, as set forth in the Representation Letter.

Section 9. Continuing Disclosure.

9.01. Execution of Continuing Disclosure Certificate. "Continuing Disclosure Certificate" means that certain Continuing Disclosure Certificate executed by the Mayor and City Administrator and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

9.02. City Compliance with Provisions of Continuing Disclosure Certificate. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Notwithstanding any other provision of this resolution, failure of the City to comply with the Continuing Disclosure Certificate is not to be considered an event of default with respect to the Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this section.

Section 10. Defeasance. When all Bonds and all interest thereon have been discharged as provided in this section, all pledges, covenants and other rights granted by this resolution to the holders of the Bonds will cease, except that the pledge of the full faith and credit of the City for the prompt and full payment of the principal of and interest on the Bonds will remain in full force and effect. The City may discharge all Bonds which are due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full. If any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.

(The remainder of this page is intentionally left blank.)

The motion for the adoption of the foregoing resolution was duly seconded by Member _____,
and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

EXHIBIT A
PROPOSALS

EXHIBIT B

FORM OF BOND

No. R-_____ UNITED STATES OF AMERICA \$ _____
STATE OF MINNESOTA
COUNTY OF NICOLLET
CITY OF NORTH MANKATO

GENERAL OBLIGATION CROSSOVER REFUNDING BOND SERIES 2012A

<u>Rate</u>	<u>Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
_____%	February 1, 20__	April 1, 2012	

Registered Owner: Cede & Co.

The City of North Mankato, Minnesota, a duly organized and existing municipal corporation in Nicollet County, Minnesota (the "City"), acknowledges itself to be indebted and for value received promises to pay to the Registered Owner specified above or registered assigns, the principal sum of \$_____ on the maturity date specified above, with interest thereon from the date hereof at the annual rate specified above, payable February 1 and August 1 in each year, commencing February 1, 2013, to the person in whose name this Bond is registered at the close of business on the fifteenth day (whether or not a business day) of the immediately preceding month. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful money of the United States of America by check or draft by Wells Fargo Bank, National Association, Minneapolis, Minnesota as Registrar, Paying Agent, Transfer Agent and Authenticating Agent, or its designated successor under the Resolution described herein. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the City have been and are hereby irrevocably pledged.

The City may elect on February 1, 2021, and on any day thereafter to prepay Bonds due on or after February 1, 2022. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify The Depository Trust Company ("DTC") of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

This Bond is one of an issue in the aggregate principal amount of \$1,820,000 all of like original issue date and tenor, except as to number, amount, maturity date, and interest rate, all issued pursuant to a resolution adopted by the City Council on March 19, 2012 (the "Resolution"), for the purpose of providing money to refund in advance of maturity and on the Refunded Street Reconstruction Bonds Redemption Date (February 1, 2015), the Refunded CIP Bonds Redemption Date (February 1, 2015), and the Refunded Improvement Bonds Redemption Date (February 1, 2013), all as defined in the Resolution, a portion of certain general obligation bonds of the City, pursuant to and in full conformity with the Constitution and laws of the State of Minnesota, including Minnesota Statutes, Chapters 429 and 475, as amended, and Minnesota

Statutes, Sections 475.58, subdivision 3b, 475.521, and 475.67, subdivision 13. A portion of the interest hereon is payable until the Refunded Street Reconstruction Bonds Redemption Date, Refunded CIP Bonds Redemption Date, and Refunded Improvement Bonds Redemption Date primarily out of an escrow fund held by an escrow agent. The principal hereof and the interest thereafter are payable from ad valorem taxes and special assessments against property specially benefited from local improvements, as set forth in the Resolution to which reference is made for a full statement of rights and powers thereby conferred. The full faith and credit of the City are irrevocably pledged for payment of this Bond and the City Council has obligated itself to levy additional ad valorem taxes on all taxable property in the City in the event of any deficiency in ad valorem taxes, net revenues of the sanitary sewer system, and tax increments pledged, which taxes may be levied without limitation as to rate or amount. The Bonds of this series are issued only as fully registered Bonds in denominations of \$5,000 or any integral multiple thereof of single maturities.

The City Council has designated the issue of Bonds of which this Bond forms a part as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code") relating to disallowance of interest expense for financial institutions and within the \$10 million limit allowed by the Code for the calendar year of issue.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the City at the principal office of the Registrar, by the registered owner hereof in person or by the owner's attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Registrar, duly executed by the registered owner or the owner's attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the City will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The City and the Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the City nor the Registrar will be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to exist, to happen and to be performed preliminary to and in the issuance of this Bond in order to make it a valid and binding general obligation of the City in accordance with its terms, have been done, do exist, have happened and have been performed as so required, and that the issuance of this Bond does not cause the indebtedness of the City to exceed any constitutional or statutory limitation of indebtedness.

This Bond is not valid or obligatory for any purpose or entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon has been executed by the Registrar by manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, the City of North Mankato, Nicollet County, Minnesota, by its City Council, has caused this Bond to be executed on its behalf by the facsimile or manual signatures of the Mayor and City Administrator and has caused this Bond to be dated as of the date set forth below.

Dated: April 1, 2012

**CITY OF NORTH MANKATO,
MINNESOTA**

(Facsimile)
Mayor

(Facsimile)
City Administrator

CERTIFICATE OF AUTHENTICATION

This is one of the Bonds delivered pursuant to the Resolution mentioned within.

**WELLS FARGO BANK, NATIONAL
ASSOCIATION**

By _____
Its Authorized Officer

ABBREVIATIONS

The following abbreviations, when used in the inscription on the face of this Bond, will be construed as though they were written out in full according to applicable laws or regulations:

TEN COM -- as tenants in common

UNIF GIFT MIN ACT

Custodian _____

TEN ENT -- as tenants by entireties

(Cust) _____ (Minor)
under Uniform Gifts or Transfers to Minors
Act, State of _____

JT TEN -- as joint tenants with right of
survivorship and not as tenants in common

Additional abbreviations may also be used though not in the above list.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ the within Bond and all rights thereunder, and does hereby irrevocably constitute and appoint _____ attorney to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: _____

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by a financial institution that is a member of the Securities Transfer Agent Medallion Program ("STAMP"), the Stock Exchange Medallion Program ("SEMP"), the New York Stock Exchange, Inc. Medallion Signatures Program ("MSP") or other such "signature guarantee program" as may be determined by the Registrar in addition to, or in substitution for, STAMP, SEMP or MSP, all in accordance with the Securities Exchange Act of 1934, as amended.

The Registrar will not effect transfer of this Bond unless the information concerning the assignee requested below is provided.

Name and Address: _____

(Include information for all joint owners if this Bond is held by joint account.)

Please insert social security or other identifying number of assignee

PROVISIONS AS TO REGISTRATION

The ownership of the principal of and interest on the within Bond has been registered on the books of the Registrar in the name of the person last noted below.

Date of Registration

Registered Owner

Signature of
Officer of Registrar

Cede & Co.
Federal ID #13-2555119

EXHIBIT C
TAX LEVIES

TAX LEVY SCHEDULE FOR THE STREET RECONSTRUCTION REFUNDING BONDS

<u>YEAR *</u>	<u>TAX LEVY</u>
	\$

* Year tax levy collected.

TAX LEVY SCHEDULE FOR THE CIP REFUNDING BONDS

<u>YEAR *</u>	<u>TAX LEVY</u>
	\$

* Year tax levy collected.

TAX LEVY SCHEDULE FOR THE IMPROVEMENT REFUNDING BONDS

<u>YEAR *</u>	<u>TAX LEVY</u>
---------------	-----------------

* Year tax levy collected.

EXHIBIT D-1

NOTICE OF CALL FOR REDEMPTION FOR THE REFUNDED STREET RECONSTRUCTION BONDS

\$1,035,000
CITY OF NORTH MANKATO, MINNESOTA
GENERAL OBLIGATION STREET RECONSTRUCTION BONDS
SERIES 2004A

NOTICE IS HEREBY GIVEN that, by order of the City Council of the City of North Mankato, Nicollet County, Minnesota (the "City"), there have been called for redemption and prepayment on

February 1, 2015

all outstanding bonds of the City designated as General Obligation Street Reconstruction Bonds, Series 2004A, dated June 1, 2004, having stated maturity dates of February 1 in the years 2016 through 2020, both inclusive, totaling \$410,000 in principal amount, and with the following CUSIP numbers:

<u>Year of Maturity</u>	<u>Amount</u>	<u>CUSIP Number</u>
2016	\$75,000	660750 3M0
2017	80,000	660750 3N8
2018	80,000	660750 3P3
2019	85,000	660750 3Q1
2020	90,000	660750 3R9

The bonds are being called at a price of par plus accrued interest to February 1, 2015, on which date all interest on said bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment at the main office of Wells Fargo Bank, National Association, Minneapolis, Minnesota, on or before February 1, 2015, at the following address:

Wells Fargo Bank, National Association
Attention: Corporate Trust Operations
625 Marquette Avenue
MAC N9311-115
Minneapolis, MN 55479

Important Notice: In compliance with the Economic Growth and Tax Relief Reconciliation Act of 2003, the City is required to withhold a specified percentage of the principal amount of the redemption price payable to the holder of any Bonds subject to redemption and prepayment on the Redemption Date, unless the City is provided with the Social Security Number or Federal Employer Identification Number of the holder, properly certified. Submission of a fully executed Request for Taxpayer Identification Number and Certification, Form W-9 (Rev. December 2011), will satisfy the requirements of this paragraph.

Dated: _____.

BY ORDER OF THE CITY COUNCIL

By /s/ Wendell Sande
City Administrator
City of North Mankato, Minnesota

EXHIBIT D-2

**NOTICE OF CALL FOR REDEMPTION
FOR THE REFUNDED CIP BONDS**

\$1,445,000
CITY OF NORTH MANKATO, MINNESOTA
GENERAL OBLIGATION CAPITAL IMPROVEMENT PLAN BONDS
SERIES 2004B

NOTICE IS HEREBY GIVEN that, by order of the City Council of the City of North Mankato, Nicollet County, Minnesota (the "City"), there have been called for redemption and prepayment on

February 1, 2015

all outstanding bonds of the City designated as General Obligation Capital Improvement Plan Bonds, Series 2004B, dated June 1, 2004, having stated maturity dates of February 1 in the years 2016 through 2025, both inclusive, totaling \$860,000 in principal amount, and with the following CUSIP numbers:

<u>Year of Maturity</u>	<u>Amount</u>	<u>CUSIP Number</u>
2016	\$ 70,000	660750 4C1
2019	230,000	660750 4F4
2022	260,000	660750 4J6
2025	300,000	660750 4M9

The bonds are being called at a price of par plus accrued interest to February 1, 2015, on which date all interest on said bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment at the main office of Wells Fargo Bank, National Association, Minneapolis, Minnesota, on or before February 1, 2015, at the following address:

Wells Fargo Bank, National Association
Attention: Corporate Trust Operations
625 Marquette Avenue
MAC N9311-115
Minneapolis, MN 55479

Important Notice: In compliance with the Economic Growth and Tax Relief Reconciliation Act of 2003, the City is required to withhold a specified percentage of the principal amount of the redemption price payable to the holder of any Bonds subject to redemption and prepayment on the Redemption Date, unless the City is provided with the Social Security Number or Federal Employer Identification Number of the holder, properly certified. Submission of a fully executed Request for Taxpayer Identification Number and Certification, Form W-9 (Rev. December 2011), will satisfy the requirements of this paragraph.

Dated: _____.

BY ORDER OF THE CITY COUNCIL

By /s/ Wendell Sande
City Administrator
City of North Mankato, Minnesota

EXHIBIT D-3

**NOTICE OF CALL FOR REDEMPTION
FOR THE REFUNDED IMPROVEMENT BONDS**

\$1,600,000
CITY OF NORTH MANKATO, MINNESOTA
GENERAL OBLIGATION IMPROVEMENT BONDS
SERIES 2005D

NOTICE IS HEREBY GIVEN that, by order of the City Council of the City of North Mankato, Nicollet County, Minnesota (the "City"), there have been called for redemption and prepayment on

February 1, 2013

all outstanding bonds of the City designated as General Obligation Improvement Bonds, Series 2005D, dated October 1, 2005, having stated maturity dates of February 1 in the years 2014 through 2016, both inclusive, totaling \$455,000 in principal amount, and with the following CUSIP numbers:

<u>Year of Maturity</u>	<u>Amount</u>	<u>CUSIP Number</u>
2014	\$155,000	660750 6C9
2015	150,000	660750 6D7
2016	150,000	660750 6E5

The bonds are being called at a price of par plus accrued interest to February 1, 2013, on which date all interest on said bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment at the main office of Wells Fargo Bank, National Association, Minneapolis, Minnesota, on or before February 1, 2013, at the following address:

Wells Fargo Bank, National Association
Attention: Corporate Trust Operations
625 Marquette Avenue
MAC N9311-115
Minneapolis, MN 55479

Important Notice: In compliance with the Economic Growth and Tax Relief Reconciliation Act of 2003, the City is required to withhold a specified percentage of the principal amount of the redemption price payable to the holder of any Bonds subject to redemption and prepayment on the Redemption Date, unless the City is provided with the Social Security Number or Federal Employer Identification Number of the holder, properly certified. Submission of a fully executed Request for Taxpayer Identification Number and Certification, Form W-9 (Rev. December 2011), will satisfy the requirements of this paragraph.

Dated: _____.

BY ORDER OF THE CITY COUNCIL

By /s/ Wendell Sande
City Administrator
City of North Mankato, Minnesota

CROSSOVER REFUNDING ESCROW AGREEMENT

Relating to:

\$1,035,000	\$1,445,000
City of North Mankato, Minnesota	City of North Mankato, Minnesota
General Obligation Street Reconstruction Bonds	General Obligation Capital Improvement Plan Bonds
Series 2004A	Series 2004B
\$1,600,000	
City of North Mankato, Minnesota	
General Obligation Improvement Bonds	
Series 2005D	

THIS CROSSOVER REFUNDING ESCROW AGREEMENT, dated April 19, 2012 (the "Agreement"), is made pursuant to Minnesota Statutes, Section 475.67, subdivision 13 (the "Act") and executed by and between the City of North Mankato, Nicollet County, Minnesota (the "City"), and Wells Fargo Bank, National Association, Minneapolis, Minnesota, a national banking corporation (the "Escrow Agent"):

WITNESSETH: That the parties hereto recite and, in consideration of the mutual covenants contained herein, covenant and agree as follows:

1. The City, in accordance with a resolution adopted by its governing body on March 19, 2012, entitled "Resolution Awarding the Sale of General Obligation Crossover Refunding Bonds, Series 2012A, in the Original Aggregate Principal Amount of \$1,820,000; Fixing Their Form and Specifications; Directing Their Execution and Delivery; Providing for Their Payment; Providing for the Escrowing and Investment of the Proceeds Thereof; and Providing for the Redemption of Bonds Refunded Thereby" (the "Resolution"), a certified copy of which has been filed with the Escrow Agent, has provided for the redemption of certain outstanding obligations of the City (collectively, the "Refunded Bonds"), as described in the Resolution, by the issuance and sale of refunding obligations, designated as the "General Obligation Crossover Refunding Bonds, Series 2012A" (the "Refunding Bonds"), in the original aggregate principal amount of \$1,820,000.

2. The Refunded Bonds consist of the following:

(a) the 2016 through 2020 maturities of the City's General Obligation Street Reconstruction Bonds, Series 2004A (the "Refunded Street Reconstruction Bonds"), dated June 1, 2004, issued in the original aggregate principal amount of \$1,035,000 and currently outstanding in the aggregate principal amount of \$615,000, of which \$410,000 in principal amount will be called for redemption on February 1, 2015;

(b) the 2016 through 2025 maturities of the City's General Obligation Capital Improvement Plan Bonds, Series 2004B (the "Refunded CIP Bonds"), dated June 1, 2004, issued in the original aggregate principal amount of \$1,445,000 and currently outstanding in the aggregate principal amount of \$1,060,000, of which \$860,000 in principal amount will be called for redemption on February 1, 2015; and

(c) the 2014 through 2016 maturities of the City's General Obligation Improvement Bonds, Series 2005D (the "Refunded Improvement Bonds"), dated October 1, 2005, issued in the original aggregate principal amount of \$1,600,000 and currently outstanding in the aggregate

principal amount of \$615,000, of which \$455,000 in principal amount will be called for redemption on February 1, 2013.

The portion of the Bonds allocated to the Refunded Street Reconstruction Bonds is referred to herein as the "Street Reconstruction Refunding Bonds." The portion of the Bonds allocated to the Refunded CIP Bonds is referred to herein as the "CIP Refunding Bonds." The portion of the Bonds allocated to the Refunded Improvement Bonds is referred to herein as the "Improvement Refunding Bonds."

3. The City, in accordance with the Resolution, issued and sold the Refunding Bonds in the principal amount of \$_____, and has received proceeds of the Refunding Bonds in the amount of \$_____ (par amount of the Refunding Bonds of \$1,820,000, [plus original issue premium of \$_____,] [less original issue discount of \$_____,] less underwriter's discount of \$_____). The City has deposited proceeds of the Refunding Bonds in the amount of \$_____ to the Escrow Fund (as defined herein), to be allocated as follows: (i) the amount of \$_____ shall be invested in securities which are general obligations of the United States, securities whose principal and interest payments are guaranteed by the United States (the "Federal Securities"), as described in the schedule which is attached hereto, marked EXHIBIT A and made a part hereof; (ii) the amount of \$_____ shall be an initial cash deposit in the Escrow Fund; and (iii) the amount of \$_____ shall be applied by Escrow Agent to payment of costs of issuance as specified in paragraph 4 hereof. The purchased securities and initial cash deposit will be irrevocably deposited with the Escrow Agent on the date of this Agreement. It is understood and agreed that the dates and amounts of payments of principal and interest due on the securities so deposited are as indicated in EXHIBIT B, and that the principal and interest payments due on such securities together with the initial cash deposit are such as to provide the funds required to pay the interest payable on the Refunding Bonds to the date on which any of the Refunded Bonds have been directed to be prepaid, as stated in the Resolution and to pay the redemption price of the Refunded Bonds on such date.

4. The Escrow Agent acknowledges receipt of the securities described in paragraph 3 hereof and agrees that it will hold such securities in a special escrow account (the "Escrow Fund") created by the Resolution in the name of the City, and will collect and receive on behalf of the City all payments of principal and interest on such securities and will remit from the Escrow Fund (i) to the paying agent (the "Paying Agent") for the Refunding Bonds the funds required from time to time for the payment of the interest due on the Street Reconstruction Refunding Bonds to the date of the redemption of the Refunded Street Reconstruction Bonds, which is February 1, 2015 (the "Refunded Street Reconstruction Bonds Redemption Date"); (ii) to the Paying Agent for the Refunding Bonds the funds required from time to time for the payment of the interest due on the CIP Refunding Bonds to the date of the redemption of the Refunded CIP Bonds, which is February 1, 2015 (the "Refunded CIP Bonds Redemption Date"); (iii) to the Paying Agent for the Refunding Bonds the funds required from time to time for the payment of the interest due on the Improvement Refunding Bonds to the date of the redemption of the Refunded Improvement Bonds, which is February 1, 2013 (the "Refunded Improvement Bonds Redemption Date"); (iv) to the paying agent for the Refunded Street Reconstruction Bonds the funds needed for the redemption and prepayment of the outstanding principal amount of the Refunded Street Reconstruction Bonds on the Refunded Street Reconstruction Bonds Redemption Date; (v) to the paying agent for the Refunded CIP Bonds the funds needed for the redemption and prepayment of the outstanding principal amount of the Refunded CIP Bonds on the Refunded CIP Bonds Redemption Date; and (vi) to the paying agent for the Refunded Improvement Bonds the funds needed for the redemption and prepayment of the outstanding principal amount of the Refunded Improvement Bonds on the Refunded Improvement Bonds Redemption Date. After provision for payment of all remaining Refunded Bonds, the Escrow Agent will remit any remaining funds in the respective accounts within the Escrow Fund to the City. Of the amounts deposited with the Escrow Agent, the sum of \$_____ shall be used by the Escrow Agent for the payment and disbursement of the costs of issuance of the Refunding Bonds and payments to the City as set forth in EXHIBIT C attached hereto.

5. In order to ensure continuing compliance with the Internal Revenue Code of 1986, as amended, and regulations promulgated thereunder (collectively, the "Code"), the Escrow Agent agrees that it will not reinvest any cash received in payment of the principal of and interest on the Federal Securities held in the Escrow Fund. This prohibition on reinvestment shall continue unless and until an opinion is received by Escrow Agent from nationally recognized bond counsel that reinvestments, as specified in said opinion, may be made in a manner consistent with the Code. Reinvestment, if any, of amounts in the Escrow Fund made pursuant to this paragraph may be made only in direct obligations of the United States of America which mature prior to the next date on which either principal or interest on the Refunded Bonds is payable.

6. The Escrow Agent expressly waives any lien upon or claim against the moneys and investments in the Escrow Fund.

7. If at any time it shall appear to the Escrow Agent that the money in the Escrow Fund allocable for such use hereunder will not be sufficient to make any interest payment due to the holders of any of the Refunding Bonds, or principal payment due to the holders of any of the Refunded Bonds, the Escrow Agent shall immediately notify the City. The City thereupon shall forthwith deposit in Escrow Fund from funds on hand and legally available to it such additional funds as may be required to meet fully the amount to become due and payable. The City acknowledges its obligation to levy ad valorem taxes on all taxable property in the City to the extent required to produce moneys necessary for this purpose. The City and Escrow Agent acknowledge receipt of a verification report from _____, certified public accountants, dated April 19, 2012, to the effect that such cash and securities are sufficient to comply with the requirements of the Act.

8. The City will not repeal or amend the Resolution which calls the Refunded Bonds for redemption on their respective Redemption Date. The Escrow Agent shall cause the Notices of Call for Redemption attached hereto as EXHIBITS D-1 through D-3 to be mailed not less than 60 days prior to the respective Redemption Date of the Refunded Bonds to the paying agents for the Refunded Bonds for the purpose of giving notice not less than 30 days prior to the respective Redemption Date to the registered owners of the Refunded Bonds to be redeemed, at their addresses appearing in the bond register and also to the bank at which the principal and interest on the Refunded Bonds are then payable.

9. Within 30 days of December 31, 2012, and each December 31 thereafter until termination of the Escrow Fund, the Escrow Agent shall submit to the City a report covering all money it shall have received and all payments it shall have made or caused to be made hereunder during the preceding twelve months. Such report shall also list all obligations held in the Escrow Fund and the amount of money on hand in the Escrow Fund on the last day of December of each year.

10. It is recognized and agreed that title to the Federal Securities and cash, if any, held in the Escrow Fund from time to time shall remain vested in the City but subject always to the prior charge and lien thereon of this Agreement and the use thereof required to be made by this Agreement. The Escrow Agent shall hold all such money and obligations in a special trust fund and account separate and wholly segregated from all other funds and securities of the Escrow Agent, and shall never commingle such money or securities with other money or securities; provided, however, that nothing herein contained shall be construed to require the Escrow Agent to keep the identical moneys, or any part thereof, received for the Escrow Fund on hand, but moneys of an equal amount (except to the extent such are represented by investments permitted under this Agreement) shall always be maintained on hand as funds held by the Escrow Agent as trustee, belonging to the City, and a special account shall at all times be maintained on the books of the Escrow Agent, together with such investments. In the event of the Escrow Agent's failure to account for any money or obligations held by it in the Escrow Fund, such money and obligations shall be and remain the property of the City, and if for any reason such money or obligations cannot be identified, all other assets of the Escrow Agent shall be impressed with a trust for the amount thereof, and the City shall be entitled to a preferred claim upon such

assets. It is understood and agreed that the responsibility of the Escrow Agent under this Agreement is limited to the safekeeping and segregation of the funds and securities deposited with it in the Escrow Fund, and the collection of and accounting for the principal and interest payable with respect thereto.

11. This Agreement is made by the City for the benefit of the holders of the Refunded Bonds, and is not revocable by the City, and the investments and other funds deposited in the Escrow Fund and all income therefrom have been irrevocably appropriated for the payment of the callable principal amount of the Refunded Bonds on their respective Redemption Date and a portion of the interest on the Refunding Bonds to the respective Redemption Date in accordance with this Agreement.

12. This Agreement shall be binding upon and shall inure to the benefit of the City and the Escrow Agent and their respective successors and assigns. In addition, this Agreement shall constitute a third-party beneficiary contract for the benefit of the holders of the Refunded Bonds and said third-party beneficiaries shall be entitled to enforce performance and observance by the City and the Escrow Agent of the respective agreements and covenants herein contained as fully and completely as if said third-party beneficiaries were parties hereto. Any bank into which the Escrow Agent may be merged or with which it may be consolidated or any bank resulting from any merger or consolidation to which it shall be a party or any bank to which it may sell or transfer all or substantially all of its corporate trust business shall, if the City approves, be the successor agent without the execution of any document or the performance of any further act.

13. The Escrow Agent hereby certifies that it is a financial institution whose deposits are insured by the Federal Deposit Insurance Corporation and whose capital and surplus is not less than \$500,000.

14. The Escrow Agent may at any time resign and be discharged of its obligations hereunder by giving to the City Administrator of the City written notice of such resignation not less than 60 days before the date when the same is to take effect, provided that the Escrow Agent shall return to the City the pro rata portion of its fee which is allocable to the period of time commencing on the effective date of such resignation. Such resignation shall take effect upon the date specified in the notice, or upon the appointment and qualification of a successor prior to that date. In the event of such resignation, a successor shall promptly be appointed by the City, and the City Administrator of the City shall immediately give written notice thereof to the predecessor escrow agent and publish the notice in the manner described in this paragraph 14. If, in a proper case, no appointment of a successor agent is made within 45 days after the receipt by the City of notice of such resignation, the Escrow Agent or the holder of any Refunded Bond may apply to any court of competent jurisdiction to appoint a successor escrow agent, which appointment may be made by the Court after such notice, if any, as the Court may prescribe. Any successor escrow agent appointed hereunder shall execute, acknowledge and deliver to its predecessor escrow agent and to the City a written acceptance of such appointment, and shall thereupon without any further act, deed or conveyance become fully vested with all moneys, properties, duties and obligations of its predecessor, but the predecessor shall nevertheless pay over, transfer, assign and deliver all moneys, securities or other property held by it to the successor escrow agent, shall execute, acknowledge and deliver such instruments of conveyance and do such other things as may reasonably be required to vest and confirm more fully and certainly in the successor escrow agent all right, title and interest in and to any property held by it hereunder. Any bank into which the Escrow Agent may be merged or with which it may be consolidated or any bank resulting from any merger or consolidation to which it shall be a party or any bank to which it may sell or transfer all or substantially all of its corporate trust business shall, if the City approves, be the successor escrow agent without the execution of any document or the performance of any further act.

15. The Escrow Agent acknowledges receipt of the sum of \$_____ as its full compensation for its services to be performed under this Agreement.

16. The duties and obligations of the Escrow Agent shall be as prescribed by the provisions of this Agreement and the Escrow Agent shall not be liable hereunder except for failure to perform its duties and obligations as specifically set forth herein or to act in good faith in the performance thereof and no implied duties or obligations shall be incurred by the Escrow Agent other than those specified herein.

17. Any notice, authorization, request or demand required or permitted to be given in accordance with the terms of this Agreement shall be in writing and sent by registered or certified mail addressed:

If to the City: City of North Mankato
P.O. Box 2055
North Mankato, Minnesota 56002
Attention: City Administrator

If to the Escrow Agent: Wells Fargo Bank, National Association
625 Marquette Avenue
MAC N9311-115
Minneapolis, Minnesota 55402
Attention: Corporate Trust and Escrow Services

18. The exhibits which are a part of this Agreement are as follows:

EXHIBIT A	Federal Securities
EXHIBIT B	Principal and Interest Payments on Federal Securities
EXHIBIT C	Costs of Issuance
EXHIBIT D-1	Notice of Call for Redemption Refunded Street Reconstruction Bonds
EXHIBIT D-2	Notice of Call for Redemption Refunded CIP Bonds
EXHIBIT D-3	Notice of Call for Redemption Refunded Improvement Bonds

(The remainder of this page is intentionally left blank.)

IN WITNESS WHEREOF the parties hereto have caused this Crossover Refunding Escrow Agreement to be duly executed by their duly authorized officers, in counterparts, each of which is deemed to be an original agreement, as of the date and year first written above.

CITY OF NORTH MANKATO, MINNESOTA

By _____
Its Mayor

(SEAL)

By _____
Its City Administrator

(Signature page of the City to the Crossover Refunding Escrow Agreement)

Execution page of the Escrow Agent to the Crossover Refunding Escrow Agreement, dated as of the date and year first written above.

**WELLS FARGO BANK, NATIONAL
ASSOCIATION**

By _____

Its _____

(Signature page of the Escrow Agent to the Crossover Refunding Escrow Agreement)

EXHIBIT A
FEDERAL SECURITIES

EXHIBIT B

PRINCIPAL AND INTEREST PAYMENTS ON FEDERAL SECURITIES

EXHIBIT C
COSTS OF ISSUANCE

Financial Advisor
Bond Counsel
Rating Agency
CPA/Verification Report
Paying Agent
Escrow Agent
Nicollet County Auditor-Treasurer

TOTAL

EXHIBIT D-1

**NOTICE OF CALL FOR REDEMPTION
FOR THE REFUNDED STREET RECONSTRUCTION BONDS**

\$1,035,000
CITY OF NORTH MANKATO, MINNESOTA
GENERAL OBLIGATION STREET RECONSTRUCTION BONDS
SERIES 2004A

NOTICE IS HEREBY GIVEN that, by order of the City Council of the City of North Mankato, Nicollet County, Minnesota (the "City"), there have been called for redemption and prepayment on

February 1, 2015

all outstanding bonds of the City designated as General Obligation Street Reconstruction Bonds, Series 2004A, dated June 1, 2004, having stated maturity dates of February 1 in the years 2016 through 2020, both inclusive, totaling \$410,000 in principal amount, and with the following CUSIP numbers:

<u>Year of Maturity</u>	<u>Amount</u>	<u>CUSIP Number</u>
2016	\$75,000	660750 3M0
2017	80,000	660750 3N8
2018	80,000	660750 3P3
2019	85,000	660750 3Q1
2020	90,000	660750 3R9

The bonds are being called at a price of par plus accrued interest to February 1, 2015, on which date all interest on said bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment at the main office of Wells Fargo Bank, National Association, Minneapolis, Minnesota, on or before February 1, 2015, at the following address:

Wells Fargo Bank, National Association
Attention: Corporate Trust Operations
625 Marquette Avenue
MAC N9311-115
Minneapolis, MN 55479

Important Notice: In compliance with the Economic Growth and Tax Relief Reconciliation Act of 2003, the City is required to withhold a specified percentage of the principal amount of the redemption price payable to the holder of any Bonds subject to redemption and prepayment on the Redemption Date, unless the City is provided with the Social Security Number or Federal Employer Identification Number of the holder, properly certified. Submission of a fully executed Request for Taxpayer Identification Number and Certification, Form W-9 (Rev. December 2011), will satisfy the requirements of this paragraph.

Dated: _____.

BY ORDER OF THE CITY COUNCIL

By /s/ Wendell Sande
City Administrator
City of North Mankato, Minnesota

EXHIBIT D-2

NOTICE OF CALL FOR REDEMPTION FOR THE REFUNDED CIP BONDS

\$1,445,000
CITY OF NORTH MANKATO, MINNESOTA
GENERAL OBLIGATION CAPITAL IMPROVEMENT PLAN BONDS
SERIES 2004B

NOTICE IS HEREBY GIVEN that, by order of the City Council of the City of North Mankato, Nicollet County, Minnesota (the "City"), there have been called for redemption and prepayment on

February 1, 2015

all outstanding bonds of the City designated as General Obligation Capital Improvement Plan Bonds, Series 2004B, dated June 1, 2004, having stated maturity dates of February 1 in the years 2016 through 2025, both inclusive, totaling \$860,000 in principal amount, and with the following CUSIP numbers:

<u>Year of Maturity</u>	<u>Amount</u>	<u>CUSIP Number</u>
2016	\$ 70,000	660750 4C1
2019	230,000	660750 4F4
2022	260,000	660750 4J6
2025	300,000	660750 4M9

The bonds are being called at a price of par plus accrued interest to February 1, 2015, on which date all interest on said bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment at the main office of Wells Fargo Bank, National Association, Minneapolis, Minnesota, on or before February 1, 2015, at the following address:

Wells Fargo Bank, National Association
Attention: Corporate Trust Operations
625 Marquette Avenue
MAC N9311-115
Minneapolis, MN 55479

Important Notice: In compliance with the Economic Growth and Tax Relief Reconciliation Act of 2003, the City is required to withhold a specified percentage of the principal amount of the redemption price payable to the holder of any Bonds subject to redemption and prepayment on the Redemption Date, unless the City is provided with the Social Security Number or Federal Employer Identification Number of the holder, properly certified. Submission of a fully executed Request for Taxpayer Identification Number and Certification, Form W-9 (Rev. December 2011), will satisfy the requirements of this paragraph.

Dated: _____.

BY ORDER OF THE CITY COUNCIL

By /s/ Wendell Sande
City Administrator
City of North Mankato, Minnesota

EXHIBIT D-3

**NOTICE OF CALL FOR REDEMPTION
FOR THE REFUNDED IMPROVEMENT BONDS**

\$1,600,000
CITY OF NORTH MANKATO, MINNESOTA
GENERAL OBLIGATION IMPROVEMENT BONDS
SERIES 2005D

NOTICE IS HEREBY GIVEN that, by order of the City Council of the City of North Mankato, Nicollet County, Minnesota (the "City"), there have been called for redemption and prepayment on

February 1, 2013

all outstanding bonds of the City designated as General Obligation Improvement Bonds, Series 2005D, dated October 1, 2005, having stated maturity dates of February 1 in the years 2014 through 2016, both inclusive, totaling \$455,000 in principal amount, and with the following CUSIP numbers:

<u>Year of Maturity</u>	<u>Amount</u>	<u>CUSIP Number</u>
2014	\$155,000	660750 6C9
2015	150,000	660750 6D7
2016	150,000	660750 6E5

The bonds are being called at a price of par plus accrued interest to February 1, 2013, on which date all interest on said bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment at the main office of Wells Fargo Bank, National Association, Minneapolis, Minnesota, on or before February 1, 2013, at the following address:

Wells Fargo Bank, National Association
Attention: Corporate Trust Operations
625 Marquette Avenue
MAC N9311-115
Minneapolis, MN 55479

Important Notice: In compliance with the Economic Growth and Tax Relief Reconciliation Act of 2003, the City is required to withhold a specified percentage of the principal amount of the redemption price payable to the holder of any Bonds subject to redemption and prepayment on the Redemption Date, unless the City is provided with the Social Security Number or Federal Employer Identification Number of the holder, properly certified. Submission of a fully executed Request for Taxpayer Identification Number and Certification, Form W-9 (Rev. December 2011), will satisfy the requirements of this paragraph.

Dated: _____.

BY ORDER OF THE CITY COUNCIL

By /s/ Wendell Sande
City Administrator
City of North Mankato, Minnesota

NR225-41 (JAE)
399637v1

**Kennedy
&
Graven**

CHARTERED

470 U.S. Bank Plaza
200 South Sixth Street
Minneapolis MN 55402

(612) 337-9300 telephone
(612) 337-9310 fax
<http://www.kennedy-graven.com>

MEMORANDUM

To: Clara Thorne, Finance Director, City of North Mankato
Wendell Sande, Administrator, City of North Mankato
City Council of the City of North Mankato

From: Julie Eddington, Kennedy & Graven

Re: Post-Issuance Compliance for Tax-Exempt Bonds

Date: March 13, 2012

Attached please find a "Post-Issuance Compliance Procedure and Policy For Tax-Exempt Governmental Bonds," which I recommend the City Council of the City of North Mankato ("City") adopt due to recent changes in the Form 8038-G, which is an informational tax return that issuers of tax-exempt governmental bonds are required to submit to the Internal Revenue Service (the "IRS") for each bond issued. The revised Form 8038-G has added several new questions regarding whether the issuer of the bonds has written policies in place to (i) take action to remediate any private use that may occur in a bond-financed facility (which can cause the bonds to taxable) and (ii) to ensure that the arbitrage rules are followed.

In 2009, the IRS mailed its Governmental Bond Financings Compliance Check Questionnaire, Form 14002 to two hundred governmental entities that had issued tax-exempt bonds in 2005, and has suggested that it may send this questionnaire to more issuers in the near future. A major focus of the IRS questionnaire is whether the governing body of the issuer of tax-exempt governmental bonds has adopted written procedures for compliance with the tax code and the tax regulations related to the use of the proceeds of tax-exempt bonds and bond-financed facilities.

Given the recent focus of the IRS on written compliance policies and the new questions on the Form 8038-G, I recommend that the City adopt the attached policy prior to the issuance of the City's General Obligation Crossover Refunding Bonds, Series 2012A, scheduled to be issued on April 19, 2012. If you have any questions about post-issuance compliance or the proposed policy, please do not hesitate to call me at (612) 337-9213.

KENNEDY & GRAVEN, CHARTERED

Julie Eddington

CITY OF NORTH MANKATO, MINNESOTA

**POST-ISSUANCE COMPLIANCE PROCEDURE AND POLICY
FOR TAX-EXEMPT GOVERNMENTAL BONDS**

March 19, 2012

Post-Issuance Compliance Procedure and Policy for Tax-Exempt Governmental Bonds

The City of North Mankato (the "City") issues tax-exempt governmental bonds to finance capital improvements. As an issuer of tax-exempt governmental bonds, the City is required by the terms of Sections 103 and 141-150 of the Internal Revenue Code of 1986, as amended (the "Code"), and the Treasury Regulations promulgated thereunder (the "Treasury Regulations"), to take certain actions subsequent to the issuance of such bonds to ensure the continuing tax-exempt status of such bonds. In addition, Section 6001 of the Code and Section 1.6001-1(a) of the Treasury Regulations, impose record retention requirements on the City with respect to its tax-exempt governmental bonds. This Post-Issuance Compliance Procedure and Policy for Tax-Exempt Governmental Bonds (the "Policy") has been approved and adopted by the City to ensure that the City complies with its post-issuance compliance obligations under applicable provisions of the Code and Treasury Regulations.

1. Effective Date and Term. The effective date of this Policy is the date of approval by the City Council of the City (March 19, 2012) and shall remain in effect until superseded or terminated by action of the City Council of the City.

2. Responsible Parties. The Finance Director of the City (the "Finance Director") shall be the party primarily responsible for ensuring that the City successfully carries out its post-issuance compliance requirements under applicable provisions of the Code and Treasury Regulations. The Finance Director will be assisted by other City staff and officials when appropriate. The Finance Director will also be assisted in carrying out post-issuance compliance requirements by the following organizations:

(a) Bond Counsel (the law firm primarily responsible for providing bond counsel services for the City);

(b) Financial Advisor (the organization primarily responsible for providing financial advisor services to the City);

(c) Paying Agent (the person, organization, or City officer primarily responsible for providing paying agent services for the City); and

(d) Rebate Analyst (the organization primarily responsible for providing rebate analyst services for the City).

The Finance Director shall be responsible for assigning post-issuance compliance responsibilities to members of the Finance Department, other staff of the City, Bond Counsel, Paying Agent, and Rebate Analyst. The Finance Director shall utilize such other professional service organizations as are necessary to ensure compliance with the post-issuance compliance requirements of the City. The Finance Director shall provide training and educational resources to City staff who are responsible for ensuring compliance with any portion of the post-issuance compliance requirements of this Policy.

3. Post-Issuance Compliance Actions. The Finance Director shall take the following post-issuance compliance actions or shall verify that the following post-issuance compliance actions have been taken on behalf of the City with respect to each issue of tax-exempt governmental bonds issued by the City:

(a) The Finance Director shall prepare or cause to be prepared a transcript of principal documents (this action will be the primary responsibility of Bond Counsel).

(b) The Finance Director shall file or cause to be filed with the Internal Revenue Service (the "IRS"), within the time limit imposed by Section 149(e) of the Code and applicable Treasury Regulations, an Information Return for Tax-Exempt Governmental Obligations, Form 8038-G (this action will be the primary responsibility of Bond Counsel).

(c) The Finance Director shall prepare or cause to be prepared an "allocation memorandum" for each issue of tax-exempt governmental bonds in accordance with the provisions of Treasury Regulations, Section 1.148-6(d)(1), that accounts for the allocation of the proceeds of the tax-exempt bonds to expenditures not later than the earlier of:

(i) eighteen (18) months after the later of (A) the date the expenditure is paid, or (B) the date the project, if any, that is financed by the tax-exempt bond issue is placed in service; or

(ii) the date sixty (60) days after the earlier of (A) the fifth anniversary of the issue date of the tax-exempt bond issue, or (B) the date sixty (60) days after the retirement of the tax-exempt bond issue.

Preparation of the allocation memorandum will be the primary responsibility of the Finance Director (in consultation with the Financial Advisor and Bond Counsel).

(d) The Finance Director, in consultation with Bond Counsel, shall identify proceeds of tax-exempt governmental bonds that must be yield-restricted and shall monitor the investments of any yield-restricted funds to ensure that the yield on such investments does not exceed the yield to which such investments are restricted.

(e) In consultation with Bond Counsel and/or the Rebate Analyst the Finance Director shall determine whether the City is subject to the rebate requirements of Section 148(f) of the Code with respect to each issue of tax-exempt governmental bonds. In consultation with Bond Counsel and/or the Rebate Analyst, the Finance Director shall determine, with respect to each issue of tax-exempt governmental bonds, whether the City is eligible for any of the temporary periods for unrestricted investments and is eligible for any of the spending exceptions to the rebate requirements. The Finance Director shall contact the Rebate Analyst prior to the fifth anniversary of the date of issuance of each issue of tax-exempt governmental bonds of the City and each fifth anniversary thereafter to arrange for calculations of the rebate requirements with respect to such tax-exempt governmental bonds. If a rebate payment is required to be paid by the City, the Finance Director shall prepare or cause to be prepared the Arbitrage Rebate, Yield Reduction and Penalty in Lieu of Arbitrage Rebate, Form 8038-T, and submit such Form 8038-T to the IRS with the required rebate payment. If the City is authorized to recover a rebate payment previously paid, the Finance Director shall prepare or cause to be prepared the Request for Recovery of Overpayments Under Arbitrage Rebate Provisions, Form 8038-R, with respect to such rebate recovery, and submit such Form 8038-R to the IRS.

4. Procedures for Monitoring, Verification, and Inspections. The Finance Director shall institute such procedures as the Finance Director shall deem necessary and appropriate to monitor the use of the proceeds of tax-exempt governmental bonds issued by the City, to verify that certain post-issuance compliance actions have been taken by the City, and to provide for the inspection of the facilities financed with the proceeds of such bonds. At a minimum, the Finance Director shall establish the following procedures:

(a) The Finance Director shall monitor the use of the proceeds of tax-exempt governmental bonds to: (i) ensure compliance with the expenditure and investment requirements under the temporary period provisions set forth in Treasury Regulations, Section 1.148-2(e); (ii) ensure compliance with the safe harbor restrictions on the acquisition of investments set forth in Treasury Regulations, Section 1.148-5(d); (iii) ensure that the investments of any yield-restricted funds do not exceed the yield to which such investments are restricted; and (iv) determine whether there has been compliance with the spend-down requirements under the spending exceptions to the rebate requirements set forth in Treasury Regulations, Section 1.148-7.

(b) The Finance Director shall monitor the use of all bond-financed facilities in order to: (i) determine whether private business uses of bond-financed facilities have exceeded the *de minimus* limits set forth in Section 141(b) of the Code as a result of leases and subleases, licenses, management contracts, research contracts, naming rights agreements, or other arrangements that provide special legal entitlements to nongovernmental persons; and (ii) determine whether private security or payments that exceed the *de minimus* limits set forth in Section 141(b) of the Code have been provided by nongovernmental persons with respect to such bond-financed facilities. The Finance Director shall provide training and educational resources to any City staff who have the primary responsibility for the operation, maintenance, or inspection of bond-financed facilities with regard to the limitations on the private business use of bond-financed facilities and as to the limitations on the private security or payments with respect to bond-financed facilities.

(c) The Finance Director shall undertake the following with respect to each outstanding issue of tax-exempt governmental bonds of the City: (i) an annual review of the books and records maintained by the City with respect to such bonds; and (ii) an annual physical inspection of the facilities financed with the proceeds of such bonds, conducted by the Finance Director with the assistance with any City staff who have the primary responsibility for the operation, maintenance, or inspection of such bond-financed facilities.

5. Record Retention Requirements. The Finance Director shall collect and retain the following records with respect to each issue of tax-exempt governmental bonds of the City and with respect to the facilities financed with the proceeds of such bonds: (i) audited financial statements of the City; (ii) appraisals, demand surveys, or feasibility studies with respect to the facilities to be financed with the proceeds of such bonds; (iii) publications, brochures, and newspaper articles related to the bond financing; (iv) trustee or paying agent statements; (v) records of all investments and the gains (or losses) from such investments; (vi) paying agent or trustee statements regarding investments and investment earnings; (vii) reimbursement resolutions and expenditures reimbursed with the proceeds of such bonds; (viii) allocations of proceeds to expenditures (including costs of issuance) and the dates and amounts of such expenditures (including requisitions, draw schedules, draw requests, invoices, bills, and cancelled checks with respect to such expenditures); (ix) contracts entered into for the construction, renovation, or purchase of bond-financed facilities; (x) an asset list or schedule of all bond-financed depreciable property and any depreciation schedules with respect to such assets or property; (xi) records of the purchases and sales of bond-financed assets; (xii) private business uses of bond-financed facilities that arise subsequent to the date of issue through leases and subleases, licenses, management contracts, research contracts, naming rights agreements, or other arrangements that provide special legal entitlements to nongovernmental persons and copies of any such agreements or instruments; (xiii) arbitrage rebate reports and records of rebate and yield reduction payments; (xiv) resolutions or other actions taken by the governing body subsequent to the date of issue with respect to such bonds; (xv) formal elections authorized by the Code or Treasury Regulations that are taken with respect to such bonds; (xvi) relevant correspondence relating to such bonds; (xvii) documents related to guaranteed investment contracts or certificates of deposit, credit enhancement transactions, and financial derivatives

entered into subsequent to the date of issue; (xviii) copies of all Form 8038-Ts and Form 8038-Rs filed with the IRS; and (xix) the transcript prepared with respect to such tax-exempt governmental bonds.

The records collected by the Finance Director shall be stored in any format deemed appropriate by the Finance Director and shall be retained for a period equal to the life of the tax-exempt governmental bonds with respect to which the records are collected (which shall include the life of any bonds issued to refund any portion of such tax-exempt governmental bonds or to refund any refunding bonds) plus three (3) years.

6. Remedies.

(a) In consultation with Bond Counsel, the Finance Director shall become acquainted with the remedial actions under Treasury Regulations, Section 1.141-12, to be utilized in the event that private business use of bond-financed facilities exceeds the *de minimis* limits under Section 141(b)(1) of the Code. If, as result of the procedures described in Section 4(b) of this Policy or otherwise, the Finance Director (in consultation with Bond Counsel) determines that a remedial action is or will be needed in order to prevent governmental bonds from meeting the private use test or the private loan financing test, the Finance Director will work with Bond Counsel to take a remedial action with respect to those bonds.

(b) The Finance Director shall also become acquainted with the Tax Exempt Bonds Voluntary Closing Agreement Program described in Notice 2008-31, 2008-11 I.R.B. 592, to be utilized as a means for an issuer to correct any post-issuance infractions of the Code and Treasury Regulations with respect to outstanding tax-exempt bonds.

7. Continuing Disclosure Obligations. In addition to its post-issuance compliance requirements under applicable provisions of the Code and Treasury Regulations, the City has agreed to provide continuing disclosure, such as annual financial information and material event notices, pursuant to a continuing disclosure certificate or similar document (the "Continuing Disclosure Document") prepared by Bond Counsel and made a part of the transcript with respect to each issue of bonds of the City that is subject to such continuing disclosure requirements. The Continuing Disclosure Documents are executed by the City to assist the underwriters of the City's bonds in meeting their obligations under Securities and Exchange Commission Regulation, 17 C.F.R. Section 240.15c2-12, as in effect and interpreted from time to time ("Rule 15c2-12"). The continuing disclosure obligations of the City are governed by the Continuing Disclosure Documents and by the terms of Rule 15c2-12. The Finance Director is primarily responsible for undertaking such continuing disclosure obligations and to monitor compliance with such obligations.

8. Other Post-Issuance Actions. If, in consultation with Bond Counsel, the Financial Advisor, the Paying Agent, the Rebate Analyst, the City Attorney, or the City Council, the Finance Director determines that any additional action not identified in this Policy must be taken by the Finance Director to ensure the continuing tax-exempt status of any issue of governmental bonds of the City, the Finance Director shall take such action if the Finance Director has the authority to do so. If, after consultation with Bond Counsel, Financial Advisor, Paying Agent, Rebate Analyst, the City Attorney, or the City Council, the Finance Director determines that this Policy must be amended or supplemented to ensure the continuing tax-exempt status of any issue of governmental bonds of the City, the Finance Director shall recommend to the City Council that this Policy be so amended or supplemented.

9. Taxable Governmental Bonds. Most of the provisions of this Policy, other than the provisions of Section 7, are not applicable to governmental bonds the interest on which is includable in gross income for federal income tax purposes. However, if an issue of taxable governmental bonds is

later refunded with the proceeds of an issue of tax-exempt governmental refunding bonds, then the uses of the proceeds of the taxable governmental bonds and the uses of the facilities financed with the proceeds of the taxable governmental bonds will be relevant to the tax-exempt status of the governmental refunding bonds. Therefore, if there is any reasonable possibility that an issue of taxable governmental bonds may be refunded, in whole or in part, with the proceeds of an issue of tax-exempt governmental bonds then, for purposes of this Policy, the Finance Director shall treat the issue of taxable governmental bonds as if such issue were an issue of tax-exempt governmental bonds and shall carry out and comply with the requirements of this Policy with respect to such taxable governmental bonds. The Finance Director shall seek the advice of Bond Counsel as to whether there is any reasonable possibility of issuing tax-exempt governmental bonds to refund an issue of taxable governmental bonds.

10. Qualified 501(c)(3) Bonds. If the City issues bonds to finance a facility to be owned by the City but which may be used, in whole or in substantial part, by a nongovernmental organization that is exempt from federal income taxation under Section 501(a) of the Code as a result of the application of Section 501(c)(3) of the Code (a "501(c)(3) Organization"), the City may elect to issue the bonds as "qualified 501(c)(3) bonds" the interest on which is exempt from federal income taxation under Sections 103 and 145 of the Code and applicable Treasury Regulations. Although such qualified 501(c)(3) bonds are not governmental bonds, at the election of the Finance Director, for purposes of this Policy, the Finance Director shall treat such issue of qualified 501(c)(3) bonds as if such issue were an issue of tax-exempt governmental bonds and shall carry out and comply with the requirements of this Policy with respect to such qualified 501(c)(3) bonds. Alternatively, in cases where compliance activities are reasonably within the control of the relevant 501(c)(3) Organization, the City Finance Director may determine that all or some portion of compliance responsibilities described in this Policy shall be assigned to the relevant organization.

CITY OF NORTH MANKATO, MINNESOTA

RESOLUTION NO. _____

**RESOLUTION APPROVING POST-ISSUANCE COMPLIANCE
PROCEDURE AND POLICY FOR TAX-EXEMPT GOVERNMENTAL BONDS**

BE IT RESOLVED By the City Council (the "Council") of the City of North Mankato, Minnesota ("City") as follows:

Section 1. Recitals.

1.01. The City from time to time issues tax-exempt governmental bonds to finance various public capital improvements.

1.02. Under Sections 103 and 140 to 150 of the Internal Revenue Code of 1986, as amended (the "Code") and related regulations, the City is required to take certain actions after the issuance of such bonds to ensure that interest on those bonds remains tax-exempt.

1.03. The City has determined to adopt written procedures regarding how the City will carry out its bond compliance responsibilities, and to that end has caused to be prepared a document titled Post-Issuance Compliance Procedure and Policy for Tax-Exempt Governmental Bonds (the "Policy").

1.04. The Council has reviewed the Policy has determined that it is in the best interest of the City to adopt the Policy.

Section 2. Policy Approved.

2.01. The Council approves the Policy in substantially the form on file in City Hall.

2.02. City staff are authorized to take all actions necessary to carry out the Policy.

Approved by the City Council of the City of North Mankato, Minnesota, this 19th day of March, 2012.

Mayor

ATTEST:

City Clerk

THESE ARE DRAFT MINUTES AND NOT YET APPROVED BY THE BOARD

OFFICIAL PROCEEDINGS OF THE
BOARD OF COUNTY COMMISSIONERS OF THE
COUNTY OF NICOLLET
March 13, 2012

The Nicollet County Board of Commissioners met in special session on Tuesday, March 13, 2012 at 9:00 a.m. with Chair Dr. Bruce Beatty presiding. Commissioners David Haack, Marie Dranttel, James Stenson, and Jack Kolars were present. Also present were County Attorney Michelle Zehnder Fischer, Administrator Robert Podhradsky, Auditor-Treasurer Bridgette Kennedy, and Recording Secretary Margo Brown.

Upon a motion by Commissioner Stenson and seconded by Haack, it was moved to approve the minutes of the February 28, 2012 Board meeting. The motion carried unanimously.

Upon a motion by Commissioner Haack and seconded by Stenson, it was moved to approve the County bills as presented. On a roll call vote, all Commissioners voted yes and the motion carried unanimously.

List bills

Public Works Director Seth Greenwood appeared before the Board to request consideration and approval of proposed tile outlet into County Ditch 76A Branch 2 for the Granby Calf Ranch. He noted that SEH Engineering is in agreement with the request and has noted that a 4" outlet will be sufficient. Upon a motion by Commissioner Stenson and seconded by Kolars, it was moved to accept the recommendation of the Public Works Director and authorize the Granby Calf Ranch to install a 4" overflow outlet on their property that connects to County Ditch 76A Branch 2. The motion carried unanimously.

Public Works Director Greenwood requested that the Board consider awarding the contract for the County Ditch 76A Branch 2A Relocation Project. He noted that Mathiowetz Construction could do the work at a cost of \$19,916.50. Upon a motion by Commissioner Stenson and seconded by Kolars, it was moved to accept the recommendation of the Public Works Director and authorize Mathiowetz Construction Company to do the construction for the relocation of Branch 2A on County Ditch 76A in the amount of \$19,916.50 and authorize execution of the State of Minnesota contract in regard to this project. The motion carried unanimously.

The Public Works Director then requested that the Board consider approval of an agreement with Mn/DOT regarding the TH 14/CSAH 41 interchange and expansion project. There was discussion of some of the recent meetings held by North Mankato in regard to this project. Upon a motion by Commissioner Kolars and seconded by Haack, it was moved to accept the recommendation of the Public Works Director and authorize the execution of the new agreement/contract with the State of Minnesota (MnDOT Agreement #00672) relating to Phase 1 of the TH 14/CSAH 41 interchange and 4-lane expansion project, and authorize appropriate signatures on the contract. On a roll call vote, all Commissioners voted yes and the motion carried unanimously.

Social Services Director Joan Tesdahl appeared before the Board to request approval of the Social Services bills. Upon a motion by Commissioner Haack and

seconded by Kolars, it was moved to approve the Social Service bills as presented. On a roll call vote, all Commissioners voted yes and the motion carried unanimously.

Probation Director Rich Molitor appeared before the Board to ask for discussion of a probation position to address truancy in area schools – possibly shared between Brown and Nicollet Counties. He listed the Nicollet County Family Services Collaborative as a possible funding source, along with funds from the Probation Department budget. Social Services Director Joan Tesdahl commented that she is confident that the collaborative would be able to assist with the funding of this position. There were a number of other questions and comments regarding how this position (if shared) would operate between the two counties, as well as comments made by Judge Allison Krehbiel and County Attorney Michelle Zehnder Fischer in favor of creating the position. Both felt that it would be cost-effective position, possibly saving funds long-term. Upon a motion by Commissioner Stenson and seconded by Beatty, it was moved to accept the recommendation of the Probation Director and approve the half time truancy position in the Probation Department, effective as soon as funding becomes available. On a roll call vote, all Commissioners voted yes and the motion carried unanimously.

Mr. Molitor also discussed a shared position with Brown County for the above approved position. Mr. Les Schultz, Brown County Probation Director, was also present at the meeting to provide input in regard to this issue. There was discussion of the duties of the person in this position, and what days he/she would work in each county. Administrator Robert Podhradsky provided input relating to the issue, noting funding concerns, and whether it would be more cost effective just to proceed with the half time position approved specifically for Nicollet County. When questioned, Probation Director Rich Molitor noted that his preferred option would be the half time Nicollet County staff member rather than the joint Brown/Nicollet position. Upon a motion by Commissioner Stenson and seconded by Haack, it was moved to authorize the Probation Director to continue with the hiring process for the approved half time position for Nicollet County and not proceed with any plans for sharing the position with Brown County at this time. On a roll call vote, Commissioners Stenson, Haack, Dranttel and Beatty voted yes, with Commissioner Kolars absent for the vote.

Probation Director Richard Molitor appeared before the Board to discuss and request approval of a Juvenile Work contract. Upon a motion by Commissioner Haack and seconded by Dranttel, it was moved to accept the recommendation of the Probation Director and approve the Nicollet County Juvenile Work Crew Contract between Nicollet and Blue Earth Counties, and authorize signatures on the contract. The motion carried unanimously.

Probation Director Molitor requested that the Board consider approval of a grant from the Department of Human Services in regard to adult drug court. He noted that the amounts of the contract have changed in the past months, but it is otherwise as previously approved. Some of the funds being provided in the grant will be used for equipment/supplies for Probation, as well as the County Attorney's Office. He stated that there are no County funds involved. Upon a motion by Commissioner Stenson and seconded by Beatty, it was moved to accept the recommendation of the Probation Director and approve the Minnesota Department of Human Services Adult Drug Court Grant as presented. The motion carried unanimously.

County Administrator Robert Podhradsky addressed the Board to request their consideration of an out-of-state travel request from the County Attorney's Office. Upon a motion by Commissioner Stenson and seconded by Kolars, it was moved to accept the recommendation of the County Administrator for the County Attorney and approve the out-

of-state travel request for Assistant County Attorney Joe Smentek to attend the NADCP (Drug Court) annual training conference in Nashville, TN from May 30, 2012 through June 2, 2012, with no direct cost to the County. On a roll call vote, all Commissioners voted yes and the motion carried unanimously.

County Auditor-Treasurer Bridgette Kennedy requested that the Board approve the renewal of a consume and display permit for the Nicollet Conservation Club. Upon a motion by Commissioner Kolars and seconded by Dranttel, it was moved to accept the recommendation of the Auditor-Treasurer and approve the renewal of the consumption and display permit for the Nicollet Conservation Club effective through June 2, 2012. The motion carried unanimously.

Jamie Haefner, Human Resources Director, addressed the Board to provide information about several replacement hirings. She noted that Sheriff David Lange has filled several vacant positions:

Ryan Warnemunde has been hired as a part time 911 Dispatcher to replace Emily Wallin. He will begin his position on March 19, 2012 at a salary of \$14.14 per hour.

Bryanna Reich has been hired as a part time Correctional Officer to replace Alesha Meyer. Ms. Reich began her duties on February 27, 2012 at a salary of \$14.14 per hour.

Tara Martin has been hired as a full time 911 Dispatcher to replace Tim Siebsen. Ms. Martin began her duties on February 27, 2012 at a salary of \$15.43 per hour, which represents pay step 3 of pay grade 12.

Orin Johnson was hired as a temporary full time Correctional Officer to replace Matt Vitale. Mr. Johnson will begin his duties on March 12, 2012 at a salary of \$15.43 per hour, which represents pay step 3 of pay grade 12.

Human Resources Director Haefner also requested that the Board consider approval of several modifications to the original version of the Drug and Alcohol Free Workplace Policy. She noted that, following staff training, there were a number of changes suggested. She provided written information showing those suggested changes and requested approval. Upon a motion by Commissioner Haack and seconded by Beatty, it was moved to accept the recommendation of the Human Resources Director and approve the modifications to the Nicollet County Drug and Alcohol Free Workplace policy, effective immediately. The motion carried unanimously. A copy of that revised policy is available in the Human Resources Office.

County Administrator's report included information about the following items/meetings:

- Reminder for March 27 – joint meeting with Sibley County at the Gaylord Public Library
- Possible dates for a Blue Earth County joint meeting – suggested April 24 or May 8.

Chair Bruce Beatty reported on the following past and future activities/meetings, including:

- Various County Board meetings
- FSA Meeting in Lafayette
- Connecting Nicollet County
- Compensation Committee meetings
- Mn/DOT Open House
- Department Head meeting
- Brown Nicollet Community Health meetings
- Personnel Committee meeting

- Noted that he had attended an Extension Committee meeting March 12th. An invitation was extended for the Connecting Nicollet County 'graduation' ceremony scheduled for May 3rd – at approximately 3:30.

The Commissioners reported on various past and future activities/meetings, including:

Commissioner Jack Kolars

- Various County Board meetings
- Meeting with County Administrator
- Connecting Nicollet County meeting
- Leadership Conference
- ARMER Meeting
- MVAC Meeting

Commissioner James Stenson

- Attended a Tri-County meeting, which included a tour in Mankato/North Mankato

Commissioner David Haack

- MRCI Retreat
- Traverse des Sioux Library Meetings
- Various County Board meetings
- Department Head meeting with County Sheriff
- Joint Meeting with Brown County
- MVAC Meeting
- Work Force Center Meeting
- Attended a meeting with the North Mankato Mayor and Council

Commissioner Marie Dranttel

- No report

Upon a motion by Commissioner Stenson and seconded by Kolars, it was moved to approve the expenses and per diems for the meetings noted above during the Commissioner reports and/or listed on the Claims Listing, and authorize payment of those expenses and per diems by the Auditor-Treasurer's Office. The motion carried unanimously.

County Auditor-Treasurer Kennedy discussed the issue of redistricting. She provided preliminary data to Board members and discussed the issue. The filing period this year is from May 22 through June 5. She noted that public hearings need to be held and a plan needs to be prepared in regard to this issue. It was agreed that a Redistricting Workshop be held on March 28 at 10:00 a.m. – in the Nicollet Conference Room.

Upon a motion by Commissioner Dranttel and seconded by Haack, it was moved to adjourn the meeting at 11:40 a.m. The motion carried unanimously.

CITY OF NORTH MANKATO PARK PERMIT

This permit does reserve space in a City Park.

PERMIT #: 42 -2012 SHELTER: Benson Park FEE: _____

TYPE OF EVENT: 5K Fun Run DATE VALID: 5/19/12 HOURS: 7am- 1pm

ORGANIZATION: Golden Heart (Taylor Corp) SIZE: _____

APPLICANT NAME: CHRISTY BODE

ADDRESS: 1825 Commerce Dr. CITY: N. Mankato

ZIP: 56003 DAYTIME PHONE #: 507-327-3487

TENTS: 0 ELECTRICITY: 0 ALCOHOL: 0

If keg beer, a \$250 deposit and \$25 fee are required.

AUDIO DEVICES: MIGHT have radio playing - nothing
Amplified music or band requires Council approval huge and extensive

OTHER: Portable toilet

PERMIT APPROVED: _____

DATE: 3-9-12

PERMIT DENIED: _____

REFER TO COUNCIL: ✓

Nancy Dierks
City Clerk

The following rules and regulations have been set by the City Code which apply to all parks and are enforced:

PROHIBITED

- * Vehicles are not allowed to be parked or driven on the grass for any reason unless permission is given from the Park Department.
- * Pets (Allowed in Benson Park and Bluff Park only. Must be on a 6' leash).
- * Glass containers.
- * Bonfires.
- * Snowmobiles, ATVs, golfing, swimming, boating and motorized flotation devices.
- * Audio equipment may not be played so loud as to interfere with the reasonable use of the park by others. All audio devices shall end at 8 p.m.

ALLOWED

- * Personal grills may be brought in.
- * Keg beer is allowed only with a permit.
- * Fishing/Ice fishing on Ladybug Lake and Spring Lake only.
- * Non-motorized canoes and kayaks on Ladybug Lake and Spring Lake. Children under 12 must be accompanied by an adult. Flotation device required.
- * Hog roasts are allowed in the parks on hard-surfaced lots only.

I, the undersigned, understand that the park shelter reservation fee is NOT a deposit and is NOT refundable for any reason other than inclement weather making it impossible to hold a picnic. Cancellation of this park shelter reservation will NOT result in a refund of the fee. If prior approval is not obtained for the installation of additional tents or stakes and causes disruption of utility services, I agree to be held liable for any repairs to service lines.

SIGNED: _____

Applicant

Date

For Office Use Only

Receipt #

Book

Park

Police



CITY OF NORTH MANKATO
APPLICATION FOR PARADE PERMIT

This application, accompanied by a map of the parade route and the required application fee, shall be submitted to the Chief of Police at least fourteen (14) days in advance of the parade date.

Applicant Information

Name:	Golden Heart - Christy Bode		
Address:	1825 Commerce Dr.		
City:	N. Mankato	State:	MN Zip: 56003
Telephone:	507-327-3487		
Sponsoring Organization:	Golden Heart		
Address:	Same		
City:		State:	
Telephone:			
Occasion for Parade:	Sk Fun Run & Kids Run		
Date of Parade:	5/19/12	Estimated Length of Parade:	7am - 1pm
Estimated Starting Time:	7am	Estimated Finish Time:	1pm
General Composition of Parade:	Actual run starts @ 9am		
	Family		

As a duly authorized representative or agent of the parade sponsoring organization, I hereby make application for a permit to parade in the City of North Mankato, Minnesota. I hereby certify that, to the best of my knowledge, the above is an accurate and true description of the parade. I agree to execute the parade according to this permit and subject to the provisions and conditions which may be necessary to provide for the safety of parade participants and the orderly and safe movement of public traffic.

Christy Bode
Applicant

3/9/12
Date

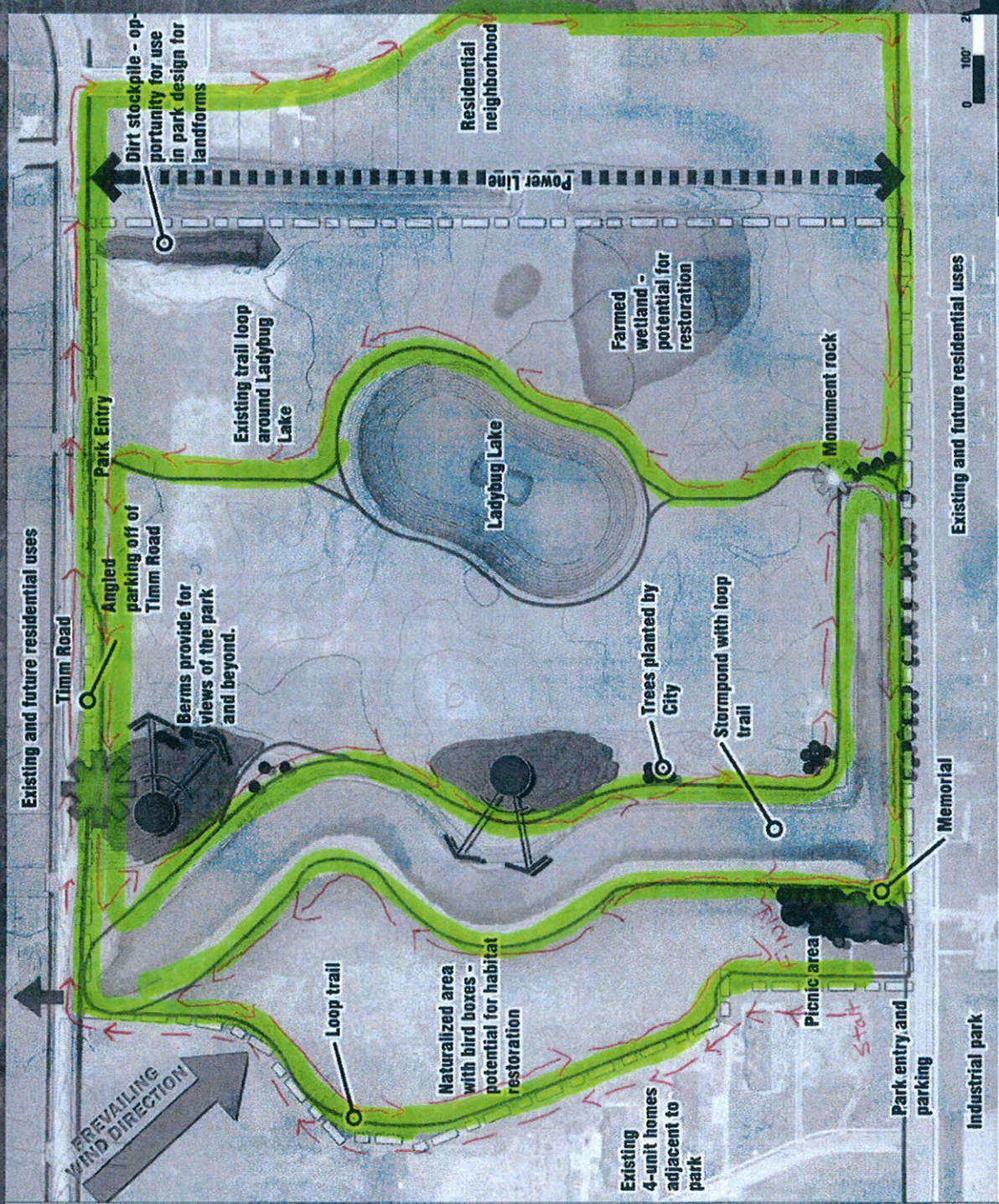
Pursuant to Section 70.21 of the North Mankato City Code, I hereby authorize a parade permit for the applicant organization. This permit shall be valid only under the conditions recommended by the City of North Mankato and only for the date and time indicated.

#701
Chief of Police

03-12-2012
Date

COMMENTS/ADDITIONAL STIPULATIONS:

Existing Conditions



Strengths

- Storm ponds act as focal points
- Two existing berms provide spectacular views
- Existing picnic area has mature trees and pond views
- Trails provide multiple loops of varying distances for walking
- Street frontage on Carlson Drive and Timm Road allow for high visibility and community access
- Park is currently used by nearby residents and office workers
- Because the park is largely undeveloped, there are few constraints to what it could be in the future

Issues

- Storm ponds act as focal points but have poor water quality
- Farmed area has few natural amenities
- Strong winds from the north / northwest

Opportunities

- Large size (70 acres) will allow park to evolve and develop to meet future regional/community park needs as well as neighborhood park needs for nearby residential areas
- Park could contain restored natural areas, additional water features as well as formal passive recreation such as trails, fishing, interpretive elements, art, children's play areas and perhaps some specialized uses
- Stockpiled dirt on in the northeast corner provides an opportunity for land shaping
- Improved water quality

RESOLUTION NO.

RESOLUTION APPROVING DONATIONS/CONTRIBUTIONS

WHEREAS, the Minn. Stat. 465.03 and 465.04 allows the governing body of any city, county, school district or town to accept gifts for the benefit of its citizens in accordance with terms prescribed by the donor;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, MINNESOTA, that the following donations/contributions are approved as follows:

Donor of Gift	Restriction on Gift	Amount
Jo Marie Robbins	Library-Books	\$50.00
North Mankato Civic & Commerce	Library-RC Airplane Special Program	\$300.00

Adopted by the City Council this 19th day of March 2012.

Mayor

City Clerk

Minutes
of the
NORTH MANKATO PLANNING COMMISSION MEETING
North Mankato, Minnesota
March 8, 2012

A regular meeting of the North Mankato Planning Commission was held at 7 p.m., March 8, 2012, in the Council Chambers of the Municipal Building.

Planning Commission members present: Chair Dave Trask, Rick Hamen, Nick Meyer Mike Smith and Corey Brunton. Staff members present: City Council Liaison Bill Schindle, City Attorney Michael Kennedy and City Planner Michael Fischer.

A motion was made by Commissioner Brunton, seconded by Commissioner Smith, to approve the minutes of the November 10, 2011 regular meeting of the Planning Commission. Vote on the motion: all ayes, 0 nays; motion carried.

CU-1-12, Conditional Use Permit Request to Construct a Distribution Substation and Transmission Line

Planner Fischer presented a request from Great River Energy and Benco Electric to construct an electrical substation and 1.1 miles of overhead transmission line to meet the growing electrical demand and improve service and reliability of electrical facilities in North Mankato. Staff summarized the project need, goals, location and schedule. Staff noted that as part of the permitting process, an Environmental Assessment (EA) was prepared and resulted in no environmental concerns being identified. In response to various questions from the Planning Commission, Peter Schaub of Great River Energy indicated the project will not have a direct affect on utility rates, the project will provide a reliable source of electricity and that in the Midwest, transmission lines are generally not located underground due to maintenance and cost issues. Marsha Parlow from Great River Energy stated that the EA was submitted to various state and federal agencies with no environmental concerns being identified. After further discussion regarding the lighting at the substation and location of new transmission poles, it was moved by Commissioner Hamen, seconded by Commissioner Smith, to approve CU-1-12 subject to the following conditions:

1. Applicants restore land within easement areas after construction of the transmission lines.
2. Transmission poles shall be made of galvanized steel.

Vote on the motion: all ayes, no nays; motion carried.

CU-2-12, Conditional Use Permit Request to Operate a Convenience Store at 238 Belgrade Avenue

Planner Fischer presented a conditional use permit request from Staples & Roozen, LLC to operate a convenience store at 238 Belgrade Avenue. The applicant has recently purchased the former Happy Dan's Convenience Store on Belgrade Avenue and is in the process of remodeling the building for re-use as a convenience store. Chairman Trask referenced the letters which were submitted in favor of the project.

Brent Staples indicated the business should be open within the next 45 days and that the car wash would be opened at a later date. In response to Planning Commission questions, Mr. Staples indicated the underground fuel tanks were properly abandoned and recently tested, the loading zone would be located on the west side of the building and that the hours of operation may be expanded in the future if needed. After discussion regarding hours of operation for the car wash and proposed lighting on the site, it was moved by Commissioner Brunton, seconded by commissioner Meyer, to approved CU-2-12 subject to the following conditions:

1. All signage including the use of temporary signs shall conform to the City Sign Code.
2. All garbage shall be stored in an enclosed area.
3. Alley access shall be maintained at all times.
4. Car wash hours of operation shall occur between 5 a.m. and 11 p.m.

Vote on the motion: all ayes, 0 nays; motion carried.

In other business, staff presented the 2011 Year-End Planning and Zoning Report as an informational item.

There being no further business, it was moved by Commissioner Smith, seconded by Commissioner Meyer, to adjourn. Vote on the motion: all ayes, 0 nays; motion carried. The meeting was adjourned at 7:30 p.m.

Chairman

Secretary

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item # 11B	Department: City Planner	Council Meeting Date: 03/19/12																																																				
TITLE OF ISSUE: CU-1-12, Conditional Use Permit Request to Construct a Distribution Substation and Transmission Line, a request from Great River Energy and Benco Electric																																																						
BACKGROUND AND SUPPLEMENTAL INFORMATION: Great River Energy and Benco Electric have submitted a Conditional Use Permit (CUP) request to construct a distribution substation and transmission line in the Northport Industrial Park area. The Planning Commission has reviewed this request and recommends approval subject to the following conditions:																																																						
<ol style="list-style-type: none"> 1. Applicant restore land within the easement areas after construction of the transmission lines. 2. Transmission poles shall be made of galvanized steel. 																																																						
<i>If additional space is required, attach a separate sheet</i>																																																						
REQUESTED COUNCIL ACTION: Approve CU-1-12																																																						
For Clerk's Use: Motion By: _____ Second By: _____ Vote Record: <table style="margin-left: 40px; border: none;"> <tr> <td style="text-align: center;">Aye</td> <td style="text-align: center;">Nay</td> <td></td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Schindle</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Freyberg</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table>	Aye	Nay		_____	_____	Norland	_____	_____	Schindle	_____	_____	Freyberg	_____	_____	Steiner	_____	_____	Dehen	SUPPORTING DOCUMENTS ATTACHED <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Resolution</td> <td style="text-align: center;">Ordinance</td> <td style="text-align: center;">Contract</td> <td style="text-align: center;">Minutes</td> <td style="text-align: center;">Map</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td colspan="2" style="text-align: center;">Other (specify)</td> <td colspan="3" style="text-align: center;">CU-1-12</td> </tr> <tr><td colspan="5">_____</td></tr> <tr><td colspan="5">_____</td></tr> <tr><td colspan="5">_____</td></tr> <tr><td colspan="5">_____</td></tr> </table>	Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other (specify)		CU-1-12			_____					_____					_____					_____				
Aye	Nay																																																					
_____	_____	Norland																																																				
_____	_____	Schindle																																																				
_____	_____	Freyberg																																																				
_____	_____	Steiner																																																				
_____	_____	Dehen																																																				
Resolution	Ordinance	Contract	Minutes	Map																																																		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																																																		
Other (specify)		CU-1-12																																																				

<input type="checkbox"/> Workshop <input checked="" type="checkbox"/> Regular Meeting <input type="checkbox"/> Special Meeting	<input type="checkbox"/> Refer to: _____ <input type="checkbox"/> Table until: _____ <input type="checkbox"/> Other: _____																																																					

CU-1-12

NORTHPORT INDUSTRIAL PARK

A REQUEST FROM GREAT RIVER ENERGY/BENCO ELECTRIC

THE CITY OF NORTH MANKATO

SUBJECT: CU-1-12

APPLICANT: Great River Energy/Benco Electric

LOCATION: Northport Industrial Park

EXISTING ZONING: M-2/R-3

DATE OF HEARING: March 8, 2012

DATE OF REPORT: February 29, 2012

REPORTED BY: Michael Fischer, City Planner

APPLICATION SUBMITTED

Request for a Conditional Use Permit (CUP) to construct an electrical substation and 1.1 miles of overhead transmission line.

COMMENT

To meet the growing electrical demand and improve service and reliability of electric facilities in North Mankato, Great River Energy and Benco Electric are proposing to construct a new electrical distribution substation and approximately 1.1 miles of overhead transmission line. Attached is a map showing the location of the proposed project and information regarding the project need, goals and schedules.

According to the North Mankato City Code, this type of project requires a Conditional Use Permit (CUP). As a result, Great River Energy and Benco Electric have submitted a request for a CUP.

The proposed substation will be constructed at the west end of Carlson Drive in the Northport Industrial Park. The new transmission line will be constructed using galvanized steel poles that will be 70 to 90 feet in height. The spacing between the new poles will be approximately 350-450 feet. As the transmission line will be constructed on private property, Great River Energy has acquired easements from the landowners in support of future construction.

As part of the permitting process, the City of North Mankato and Great River Energy completed an Environmental Assessment (EA) which was submitted to various state and federal agencies for review and comment. To date, there have been no environmental concerns identified as part of the proposed project.

RECOMMENDATION

Staff recommends approval of CU-1-12 subject to the following conditions:

1. Restore land within easement areas after construction of the transmission line.
2. Transmission line poles shall be made of galvanized steel.

Northport Substation and 115 kV transmission line



GREAT RIVER ENERGY
12300 Elm Creek Boulevard
Maple Grove, MN 55369-4718
1-888-521-0130
www.greatriverenergy.com



BENCO ELECTRIC COOPERATIVE
20946 – 549 Avenue, PO Box 8
Mankato, MN 56002-0008
1-888-792-3626
www.benco.coop

Project Need:

Electrical Load growth in the North Mankato area is greater than recent projections anticipated and, with several additional loads in the planning stages, is estimated to continue to grow in the near future. To reliably serve these loads, an electrical distribution substation is needed in the area of North Mankato and Belgrade Township.

Project Goal/Description:

Construct a 115 kV distribution substation ("Northport Substation," see Figure 1) and approximately 1.1 miles of 115 kV double circuit transmission line (see Figure 2) to support that substation. The location of proposed Northport Substation is approximately 1/3 of a mile north of the existing end of Ringhofer Drive (see Project Map on back). This will result in improved electrical reliability, provide contingency support for the Johnson and Penelope substations and supply a strong second-source to serve, and back-up, electrical demands in the North Mankato area.

The new 115 kV transmission line will consist of six energized conductors attached to horizontal post insulators on galvanized steel poles. Grounded shield wire will be attached at the top of each pole for lightning protection. It is estimated that typical pole heights will range from 70 to 90 feet above the ground, and the distance between poles will range from 350 to 450 feet depending on terrain and physical features. All energized substation equipment is located inside a chain link fence providing safety and security.

Schedule:

Local/State Permitting: -----1st Quarter 2012
Footings/Foundations: -----Spring 2012
Transmission Line Construction-----Late Summer / Fall 2012
Project Completion -----November 2012



Figure 1
Typical 115 kV distribution substation

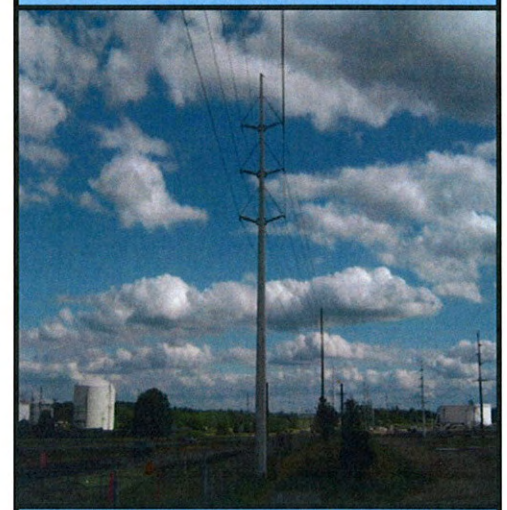


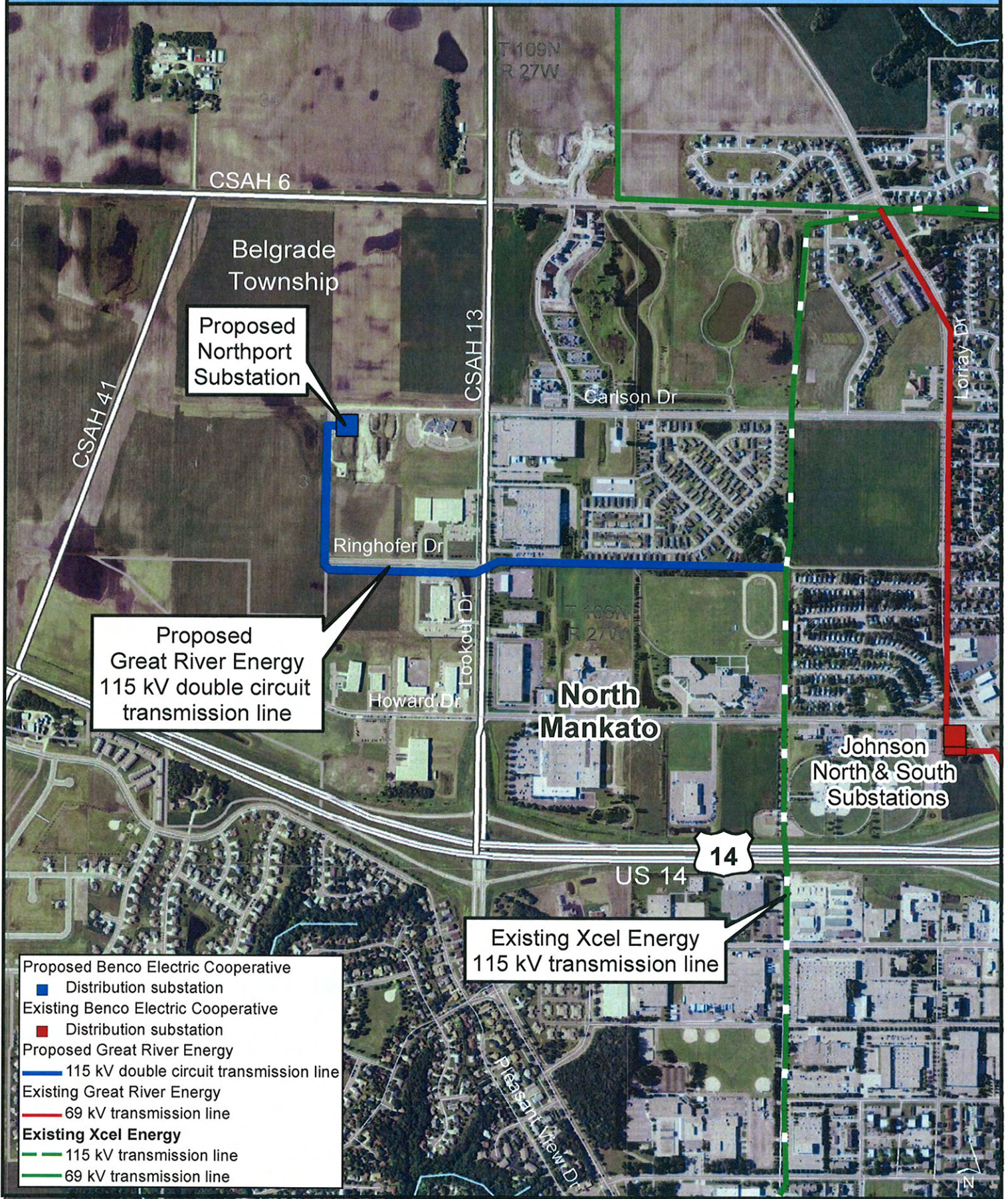
Figure 2
Typical 115 kV structure

For project updates and information, visit greatriverenergy.com/northport or contact:

Peter Schaub
Great River Energy
12300 Elm Creek Boulevard
Maple Grove, MN 55369-4718
763-445-5976
1-888-521-0130 ext. 5976
pschaub@GREnergy.com

Dick Hiniker
Benco Electric Cooperative
20946 549th Avenue, P.O. Box 8
Mankato, MN 56002-0008
507-387-7963
1-888-792-3626
dick.hiniker@benco.coop

Proposed project





12300 Elm Creek Boulevard • Maple Grove, Minnesota 55369-4718 • 763-445-5000 • Fax 763-445-5050 • www.GreatRiverEnergy.com

January 20, 2012

WO# 74831
BE-NPT Line

Michael Fischer
City of North Mankato Planner
1001 Belgrade Avenue
North Mankato, MN 56003

SUBJECT: Proposed Northport Substation and Transmission Line Construction, Nicollet County, Minnesota, T 108N, R 27W, Sections 2 and 3

Dear Mr. Fischer:

As you know, Great River Energy and Benco Electric (Benco) are proposing a 115 kilovolt ("kV") transmission project in North Mankato, Minnesota. The project will consist of a Great River Energy transmission line to support a new substation that Benco will construct at the end of Carlson drive on the south side of the road in the Industrial Park. The new substation is necessary to serve the increase in electric load growth in the area.

In accordance with the Power Plant Siting Act, Minn. Stat. § 216E.05, subd. 3, Great River Energy and Benco are requesting local review of the project through the City of North Mankato Conditional Use Permitting (CUP) process. It is my understanding that a project description/maps were sent to you to be included in the CUP review. I am enclosing additional drawings for the proposed line and substation, also for review in the CUP process. As you may be aware, Benco and the city are still working out the grading issues for the substation therefore, the substation drawing is not final. Of course, we will update the drawing as soon as a final design is determined. I have also enclosed a check in the amount of \$353.00 for the CUP application fee. Please accept this letter as Great River Energy's and Benco Electric Cooperative's formal request to commence the Conditional Use Permit process.

If you have any questions or require additional information, please contact me at 763-445-5976 at your earliest convenience. Thank you for your assistance in this matter.

Sincerely,
GREAT RIVER ENERGY



Peter M. Schaub
Sr. Field Representative

Enclosures

c: Richard Hiniker, Benco Electric – w/o encls.

PS:jhs:\trans\capital\projects\20311\Northport\74831\Northport\LR-ENV\LR\Permitting\CityofNMankato\CityofNMankatoCUP\tr.doc

Direct Dial (763) 445-5976

E-mail pschaub@greenergy.com

Fax (763) 445-6776



February 23, 2012

Dear Property Owner:

The City of North Mankato has received a conditional use permit request from Great River Energy and Benco Electric to construct a new transmission line and substation in the Northport Industrial Park area. Attached is information regarding the scope and location of the project.

This request will be considered by the North Mankato Planning Commission on March 8, 2012 and by the City Council on March 19, 2012. Both meetings begin at 7 p.m. in the Municipal Building Council Chambers located at 1001 Belgrade Avenue.

As a nearby property owner, you have the opportunity to comment on this request. You may send written comments prior to the March 8, 2012 meeting or appear at either or both meetings.

Sincerely,

THE CITY OF NORTH MANKATO

Michael Fischer
City Planner

MF:ng

CU-1-12

Independent School District 77
10 Civic Center Plaza
Mankato, MN 56001

Camelot Park of North Mankato
2101 Excalibur Road
North Mankato, MN 56003

Taylor Corporation
P.O. Box 3728
North Mankato, MN 56003

LJP Enterprises
2160 Ringhofer Drive
North Mankato, MN 56003

Rash and Associates
P.O. Box 260888
Plano, TX 75026-0888

Alliance Pipeline
1990 Lookout Drive
North Mankato, MN 56003

Camelot Park of North Mankato
1935 LorRay Drive
North Mankato, MN 56003

Evangelical Covenant Church
2000 Howard Drive West
North Mankato, MN 56003

Burnett Properties, LLLP
39847 US Highway 14
North Mankato, MN 56003

Timm Farms, Inc.
108 Emerald Court
Mankato, MN 56001

Application for
CONDITIONAL USE PERMIT

Pursuant to Section 156.055 of the North Mankato City Code, application is hereby made to allow the use of land as described herein.

LEGAL DESCRIPTION OF PROPERTY:

Lot # 1 Block # 1
Subdivision Northport No.13 Address 2155 Carlson Drive

APPLICANT:

Name Great River Energy / Benco Electric Address 20946 549th Avenue P.O. Box 8 Mankato, MN 56002 Phone 507-387-7963

PROPERTY OWNER (If Other Than Applicant):

Name _____ Address _____ Phone _____

CURRENT ZONING: M-2 R-3 CURRENT USE OF PROPERTY: Industrial / Residential

LAND USE PROPOSED: Electrical substation and transmission line

CONFORMING USE? Yes X No _____

REQUEST PREVIOUSLY CONSIDERED? Yes _____ No X If Yes, date _____

ADDITIONAL COMMENTS:SUPPORTING DOCUMENTS:

	Required	Attached		Required	Attached
Plot Plan	_____	_____	Comment Letters	_____	_____
Floor Plan	_____	_____	Performance Test	_____	_____
Landscaping Plan	_____	_____	Petition	_____	_____
Parking/Loading Plan	_____	_____	Development Schedule	_____	_____
Survey	_____	_____	Proposed Regulations	_____	_____
Other _____	_____	_____			

FEES: Application Fee \$ 335.00

Notice Charge # 9 @ \$ 2.00 = \$ 18.00

Total Fee \$ 353.00 Receipt # _____

I hereby certify that the information both described in and attached to this application is correct and true.

Signature of Applicant _____ Date _____

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item # 11C	Department: City Planner	Council Meeting Date: 03/19/12
-------------------	--------------------------	--------------------------------

TITLE OF ISSUE: CU-2-12, Conditional Use Permit Request to Operate a Convenience Store at 238 Belgrade Avenue, a request from Staples & Roozen, LLC

BACKGROUND AND SUPPLEMENTAL INFORMATION: Staples & Roozen, LLC has submitted a Conditional Use Permit (CUP) request to reopen a convenience store at 238 Belgrade Avenue. The Planning Commission has reviewed this request and recommends approval subject to the following conditions:

1. All signage including the use of temporary signs shall conform to the City Sign Code.
2. All garbage shall be stored in an enclosed area.
3. Alley access shall be maintained at all times.
4. Car wash hours of operation shall occur between 5 a.m. and 11 p.m.

If additional space is required, attach a separate sheet

REQUESTED COUNCIL ACTION: Approve CU-2-12

For Clerk's Use:

Motion By: _____

Second By: _____

Vote Record:

Aye Nay

_____	_____	Norland
_____	_____	Schindle
_____	_____	Freyberg
_____	_____	Steiner
_____	_____	Dehen

SUPPORTING DOCUMENTS ATTACHED

Resolution Ordinance Contract Minutes Map

☐
☐
☐
☐
☐

Other (specify) _____

CU-2-12

☐ Workshop

☒ Regular Meeting

☐ Special Meeting

☐

Refer to: _____

☐

Table until: _____

☐

Other: _____

CU-2-12

238 BELGRADE AVENUE

A REQUEST FROM STAPLES & ROOZEN, LLC

THE CITY OF NORTH MANKATO

SUBJECT: CU-2-12

APPLICANT: Staples & Roozen, LLC

LOCATION: 238 Belgrade Avenue

EXISTING ZONING: CBD, Central Business District

DATE OF HEARING: March 8, 2012

DATE OF REPORT: February 29, 2012

REPORTED BY: Michael Fischer, City Planner

APPLICATION SUBMITTED

Request for a Conditional Use Permit (CUP) to re-open a convenience store at 238 Belgrade Avenue.

COMMENT

The City has received a request for a Conditional Use Permit (CUP) to re-open the former Happy Dan's at 238 Belgrade Avenue as a convenience store. The applicants have recently purchased the property and are in the process of remodeling the building for future use as an Express Way convenience store.

According to the North Mankato City Code, a CUP is required to operate a convenience store in any permitted zoning district. Attached is a letter from the applicant requesting a CUP to operate a convenience store at 238 Belgrade Avenue. As stated in the letter, the applicants will be making numerous improvements to the existing building.

RECOMMENDATION

Staff recommends approval of CU-2-12 subject to the following conditions:

1. All signage, including the use of temporary signs, shall conform to the City Sign Code.
2. All garbage shall be stored in an enclosed area.
3. Alley access shall be maintained at all times.



Staples Enterprises, Inc. P. O. Box 243, Windom, MN 56101

February 20, 2012

City of North Mankato
1001 Belgrade Ave.
North Mankato, MN 56002-2055

RE: Conditional Use Permit

To Whom It May Concern:

Please consider this our written request for a Conditional Use Permit to operate a convenience store/gas station at 238 Belgrade Avenue in North Mankato, MN 56003.

The real estate is owned by our sister company and landlord, Staples & Roozen, LLC. The business will be owned and operated by Staples Enterprises, Inc. The name of our business will operate under is ExpressWay Convenience Stores. Our business will operate daily and our expected hours of operation will be 5:00am-11:00pm. We plan to make improvements to the building including the following: internal reimagining, replacing the front building awning with an architectural awning and lighting, reimagining of the canopy and sign.

Thank you for your consideration for this Conditional Use Permit.

Sincerely,

Brent Staples
Staples Enterprises, Inc.



February 23, 2012

Dear Property Owner:

The City of North Mankato has received a conditional use permit request from Staples Enterprises to reopen a convenience store at 238 Belgrade Avenue.

This request will be considered by the North Mankato Planning Commission on March 8, 2012 and by the City Council on March 19, 2012. Both meetings begin at 7 p.m. in the Municipal Building Council Chambers located at 1001 Belgrade Avenue.

As a nearby property owner, you have the opportunity to comment on this request. You may send written comments prior to the March 8, 2012 meeting or appear at either or both meetings.

Sincerely,

THE CITY OF NORTH MANKATO

Michael Fischer
City Planner

MF:ng

Stephanie S. Case &
Shane M. Wendland
302 Wheeler Avenue
North Mankato, MN 56003

Norman L. & Judith K. Douglas
240 Wheeler Avenue
North Mankato, MN 56003

Douglas J Schaller
55656 Hemlock Lane
Mankato, MN 56001

Darrin Novak & Samantha Simon
305 Wheeler Avenue
North Mankato, MN 56003

Taylor Bancshares Inc
245 Belgrade Avenue
North Mankato, MN 56003

James C. & Sharon I. Olson
309 Belgrade Avenue
North Mankato, MN 56003

The Marigold LLC
200 Belgrade Avenue
North Mankato, MN 56003

Thomas W. Daly
413 ½ Range Street
North Mankato, MN 56003

Gerald L. Troidahl
414 Range Street
North Mankato, MN 56003

Bradley C. Hanson
105 Rosewood Drive
Mankato, MN 56001

Scott Frey
226 Wheeler Avenue
North Mankato, MN 56003

Kevin S. & Donna L. Briggs
304 Moreland Avenue
Mankato, MN 56001

John & Jackie Ellis
218 Wheeler Avenue
North Mankato, MN 56003

Larry & Joy Hanson
310 Belgrade Avenue
North Mankato, MN 56003

Allison J. & Sharon A. Schaller
241 Belgrade Avenue
North Mankato, MN 56003

P-Jack Properties
1812 S Riverfront Drive
Mankato, MN 56001

Nicole Garbers
249 Wheeler Avenue
North Mankato, MN 56003

Lisa Hughes
247 Wheeler Avenue
North Mankato, MN 56003

John T. & Trudy M. Forsyth
230 Nicollet Avenue
North Mankato, MN 56003

Ryan E. Luedtke
1216 albion Avenue
Fairmont, MN 56031

Thomas J. & John C. Bohrer
232 Belgrade Avenue
North Mankato, MN 56003

Timothy A. & Tari K. Haunty
7470 Saratoga Drive
Chanhassen, MN 55317

Robert J. Sens
253 Belgrade Avenue
North Mankato, MN 56003

Aaron C. & Sherry A. Miller
218 Marcy Street
Mankato, MN 56001

Jeffrey P. Luke
313 Range Street
North Mankato, MN 56003

James J. & Willa N. Dailey
20182 586th Lane
Mankato, MN 56001

WSK Mankato Holdings LLC
8109 W Bush Lake Road
Bloomington, MN 55438-1017

Claudia F. Vosbeck
245 Wheeler Avenue
North Mankato, MN 56003

Elaine Y. Shea
241 Wheeler Avenue
North Mankato, MN 56003

Carl R. & Sandra A. Kiewatt
235 Wheeler Avenue
North Mankato, MN 56003

Randy M. & Dawn M. Hoehn
2118 Coventry Lane
North Mankato, MN 56003

Michael M. & Brenda K. Burger
238 Wheeler Avenue
North Mankato, MN 56003

Craig R. Joerg
417 Range Street
North Mankato, MN 56003

Greg Thomas
45 Hill Court
Mankato, MN 56001

American Legion Post #518
P.O. Box 2233
North Mankato, MN 56002-2233

Brett Cansler
311 Range Street
North Mankato, MN 56003

Larry & Pamela Harbo
21037 528th Avenue
Lake Crystal, MN 56055

Skillings Properties LLC
237 Belgrade Avenue
North Mankato, MN 56003

T.O.B.E. Properties LLC
2313 Snowbird Lane
North Mankato, MN 56003

David L. Mutch
231 Belgrade Avenue
North Mankato, MN 56003

Shawn & Tanya Ange
301 Belgrade Avenue
North Mankato, MN 56003

Kyle L. Ramaker
227 Johnson Street
Mankato, MN 56001

Brian D. Mechler
303 Belgrade Avenue
North Mankato, MN 56003

Jesse Pearson
421 Range Street
North Mankato, MN 56003

Jeffrey J. Kenne
42462 Kerns Drive
North Mankato, MN 56003

Corey Brunton
225 Belgrade Avenue
North Mankato, MN 56003

Royce W. Behnke
1540 Meyer Court
North Mankato, MN 56003

Kenneth V. & Mary Anne Hoppe
234 Nicollet Avenue
North Mankato, MN 56003

Theresa M. Kopischke
502 Range Street
North Mankato, MN 56003

Jay P. Dengel & Pamela K.
Weller-Dengel
410 Range Street
North Mankato, MN 56003

Ai Yun Zhang Kretsch
477 Marvin Boulevard
North Mankato, MN 56003

Robert W. & Heather J. Milton
244 Wheeler Avenue
North Mankato, MN 56003



VANYO, INC.



Vanyo Moody
200 Belgrade Avenue
Suite 1
North Mankato, MN 56003

IA

UNITED WE STAND DIVIDED WE FALL

Feb. 27, 2012

Dear North Mankato Planning Commission,
I thank all of you for allowing us to
comment on the conditional use permit
request from Staples Enterprises. I
wholeheartedly support their goal to
reopen the convenience store. We
will support them as much as we
can and welcome them into the
neighborhood with open arms.

Sincerely,

Vanyo Moody

Ake Marigold

CTS

Express Employment Professionals

To
Michael Fissler, City Planner

As a resident of No. Maslito
at 241 Stueber, I am
responding to the inquiry
of residents concerning
purpose convenience
store at 238 Belgrade.

I am totally in favor
of that property being used
as a convenience store again
as I am not a driver and
somewhat unable to walk
great distances - so I did
use the Happy Dan's store
a lot of times.

Please consider it a great
plan! Elaine Shea

Application for
CONDITIONAL USE PERMIT

Pursuant to Section 156.055 of the North Mankato City Code, application is hereby made to allow the use of land as described herein.

LEGAL DESCRIPTION OF PROPERTY:

Lot # South 95' of the W 55' of Lot 7
and South 95' of Lot 8 Block # 2
 Subdivision Original Plat Address 238 Belgrade Avenue

APPLICANT:

Name Staples & Roozen, LLC Address P.O. Box 243 Phone 507-831-4450
Windom, MN 56101

PROPERTY OWNER (If Other Than Applicant):

Name _____ Address _____ Phone _____

CURRENT ZONING: CBD CURRENT USE OF PROPERTY: Convenience Store

LAND USE PROPOSED: Convenience Store

CONFORMING USE? Yes X No _____

REQUEST PREVIOUSLY CONSIDERED? Yes X No _____ If Yes, date September 6, 1994

ADDITIONAL COMMENTS:SUPPORTING DOCUMENTS:

	Required	Attached		Required	Attached
Plot Plan	_____	_____	Comment Letters	_____	_____
Floor Plan	_____	_____	Performance Test	_____	_____
Landscaping Plan	_____	_____	Petition	_____	_____
Parking/Loading Plan	_____	_____	Development Schedule	_____	_____
Survey	_____	_____	Proposed Regulations	_____	_____
Other _____	_____	_____			

FEES: Application Fee \$ 335.00

Notice Charge # 54 @ \$ _____ = \$ 108.00

Total Fee \$ 443.00 Receipt # _____

I hereby certify that the information both described in and attached to this application is correct and true.

Signature of Applicant _____ Date _____

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item # 11D	Department: City Planner	Council Meeting Date: 03/19/12																																															
TITLE OF ISSUE: 2011 Year-end Planning and Zoning Report																																																	
BACKGROUND AND SUPPLEMENTAL INFORMATION: Attached as an informational item is the 2011 Year-end Planning and Zoning Report.																																																	
<i>If additional space is required, attach a separate sheet</i>																																																	
REQUESTED COUNCIL ACTION: Information only																																																	
For Clerk's Use: Motion By: _____ Second By: _____ Vote Record: <table style="margin-left: 40px; border: none;"> <tr> <td style="text-align: center;">Aye</td> <td style="text-align: center;">Nay</td> <td></td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Schindle</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Freyberg</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table>	Aye	Nay		_____	_____	Norland	_____	_____	Schindle	_____	_____	Freyberg	_____	_____	Steiner	_____	_____	Dehen	SUPPORTING DOCUMENTS ATTACHED <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Resolution</td> <td style="text-align: center;">Ordinance</td> <td style="text-align: center;">Contract</td> <td style="text-align: center;">Minutes</td> <td style="text-align: center;">Map</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td colspan="2" style="vertical-align: top;">Other (specify)</td> <td colspan="3" style="vertical-align: top;">2011 Year-end Planning and Zoning Report</td> </tr> <tr><td colspan="5">_____</td></tr> <tr><td colspan="5">_____</td></tr> <tr><td colspan="5">_____</td></tr> </table>	Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other (specify)		2011 Year-end Planning and Zoning Report			_____					_____					_____				
Aye	Nay																																																
_____	_____	Norland																																															
_____	_____	Schindle																																															
_____	_____	Freyberg																																															
_____	_____	Steiner																																															
_____	_____	Dehen																																															
Resolution	Ordinance	Contract	Minutes	Map																																													
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																																													
Other (specify)		2011 Year-end Planning and Zoning Report																																															

<input type="checkbox"/> Workshop <input checked="" type="checkbox"/> Regular Meeting <input type="checkbox"/> Special Meeting	<input type="checkbox"/> Refer to: _____ <input type="checkbox"/> Table until: _____ <input type="checkbox"/> Other: _____																																																

2011 Year End Planning and Zoning Report

END-OF-YEAR PLANNING & ZONING REPORT

2011

Introduction

In order to comply with Section 32.28 of the North Mankato City Code, this report has been prepared to summarize the Planning Commission activities of 2011. This report includes a summary of variances, conditional use permits, plats and rezonings applied for during the year of 2011.

Variance Requests

Two variances were applied for in 2011. Both variances which granted additional signage for industrial uses were approved.

Conditional Use Permits

There was one conditional use permit applied for and granted in 2011. The CUP allowed the repair of vehicles in a commercial district.

Zoning Changes

Three zoning requests were applied for in 2011. Two of the requests were granted to zone land which was annexed into the City limits and one request was denied to rezone property from residential to commercial.

Subdivisions and Replatting

A total of four platting requests were applied for in 2011. One of the requests was approved to rearrange lot lines within an existing subdivision, two were approved to plat land which was annexed into the City limits and one request was granted to correct a previously approved plat.

Building Permits

In 2011, a total of 1,750 building permits were issued having a dollar value of \$35,839,836. Attached is the year-to-date building permit report.

NORTH MANKATO ZONING HISTORY

PLATTING 2011

Legal Description	Application	Applicant	Zoning District	Planning Comm. MO/YR.	Action	City Council MO/YR.	Action	Subdivision Name
Lots 12 and 13, Block 2, Isaiah Estates	Preliminary and Final Plat	Wilcon Construction	R-2	Mar-11	Approved	Mar-11	Approved	Isaiah Estates No. 7
Part of Section 3-108-27	Preliminary and Final Plat	North Mankato Port Authority	Ag	Mar-11	Approved	Mar-11	Approved	Northport No. 15
Hansen Addition No. 2	Certificate of Correction	Survey Services	R-2, I-1, M-2	Apr-11	Approved	Apr-11	Approved	Hansen Addition No. 2
Parcels 7S1 and 9S1 of Nicollet County Right-of-Way Plat No. 26	Preliminary and Final Plat	North Mankato Port Authority	Ag	Jun-11	Approved	Jun-11	Approved	Northport No. 16

NORTH MANKATO ZONING HISTORY

VARIANCES

2011

Address	Applicant	Application Number	Planning Comm.		City Council		Applications/ Conditions
			MO/YR	Action	MO/YR	Action	
2145 Howard Drive West	Ziegler Caterpillar	V-1-11	Oct-11	Approved	Oct-11	Approved	Increase maximum size of 2 directional signs from 2 sq. ft. to 25.65 sq. ft.
2265 Howard Drive West	Allstate Peterbilt	V-2-11	Nov-11	Approved	Nov-11	Approved	Increase maximum signage to 414 sq. ft. Increase maximum height of pylon sign to 55 feet and increase the maximum size of a free-standing sign to 360 sq. ft.

NORTH MANKATO ZONING HISTORY

ZONING - 2011

Legal Description	Address	Applicant	Application Number	Planning Comm. MO/YR	City Council MO/YR	City Council Action	Applications/ Conditions
Northport No. 16	2265 Howard Drive West	North Mankato Port Authority	Z-1-11	Jun-11	Jun-11	Approved	Zone property as M-2
Northport No. 15	NA	North Mankato Port Authority	Z-2-11	Jun-11	Jun-11	Approved	Zone property as M-2
Lot 1, Block 5, North Ridge Estates Phase XI	NA	Greg Pavsek/Marsha and Scott madigan	Z-3-11	Sep-11	*	*	Rezone property from R-3 to B-2

* Application withdrawn from consideration by City Council.

NORTH MANKATO ZONING HISTORY

CONDITIONAL USE PERMITS

2011

Legal Description	Address	Applicant	Application Number	Planning Comm. MO/YR	City Council MO/YR	Applications/ Conditions
Part of Wendell Hodapp's Addition	331 Webster Avenue	Jerry Bamberry/ Dale Engelhardt	CU-1-11	Jun-11 Approved	Jun-11 Approved	1. All work shall be performed within the building. 2. All materials and equipment shall be stored within the building. 3. A minimum of 4 off-street parking spaces shall be provided.

Issued Building Permits - Year to Date Report

	Single Family	Duplex	Twin Homes	Townhome Condos	Apt./ Asst. Living	Garages	Industry Commercial	Other	Residential Remodel	Totals
2011										
Number of Permits	15	0	0	4	2	4	55	58	1612	1,750
Number of Units	15	0	0	4	10	0	0	0	0	29
Dollar Value	\$3,957,510	\$0	\$0	\$740,000	\$895,172	\$38,600	\$17,133,415	\$1,812,284	\$11,262,855	\$35,839,836
2010										
Number of Permits	15	0	0	2	0	11	45	44	2073	2,190
Number of Units	15	0	0	8	0	0	0	0	0	23
Dollar Value	\$3,331,230	\$0	\$0	\$1,400,000	\$0	\$142,743	\$3,690,890	\$1,418,178	\$14,379,728	\$24,362,769
2009										
Number of Permits	32	0	0	2	0	9	51	43	905	1,042
Number of Units	32	0	0	2	0	0	0	0	0	34
Dollar Value	\$7,093,960	\$0	\$0	\$304,000	\$0	\$76,300	\$7,917,765	\$960,109	\$4,676,484	\$21,028,618
2008										
Number of Permits	23	0	0	7	0	18	50	36	842	976
Number of Units	23	0	0	15	0	0	0	0	0	38
Dollar Value	\$5,639,190	\$0	\$0	\$2,195,020	\$0	\$251,800	\$10,916,749	\$1,116,530	\$4,336,348	\$24,455,637
2007										
Number of Permits	49	0	0	3	0	11	56	24	682	825
Number of Units	49	0	0	6	0	0	0	0	0	55
Dollar Value	\$10,339,930	\$0	\$0	\$920,120	\$0	\$168,340	\$8,501,543	\$5,468,948	\$3,491,072	\$28,889,953
2006										
Number of Permits	52	1	0	6	0	16	29	16	495	615
Number of Units	52	2	0	16	0	0	0	0	0	70
Dollar Value	\$12,161,566	\$200,000	\$0	\$1,825,526	\$0	\$307,100	\$7,105,822	\$2,423,076	\$2,476,686	\$26,499,776

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item # 11E	Department: City Planner	Council Meeting Date: 03/19/12																																																					
TITLE OF ISSUE: Set Public Hearing for 7 p.m. on Monday, April 2, 2012, to Approve 2012 Community Development Block Grant Program (CDBG) Action Plan																																																							
BACKGROUND AND SUPPLEMENTAL INFORMATION: It is necessary to set and hold a public hearing to approve a 2012 Action Plan for the use of HUD entitlement funds. Our 2012 CDBG allocation is \$58,591. Staff is proposing to use this allocation to provide grants in the Central Business District for commercial and second level residential rehabilitation.																																																							
<i>If additional space is required, attach a separate sheet</i>																																																							
REQUESTED COUNCIL ACTION: Set Public Hearing																																																							
For Clerk's Use: Motion By: _____ Second By: _____ Vote Record: <table style="margin-left: 40px; border: none;"> <tr> <td style="text-align: center;">Aye</td> <td style="text-align: center;">Nay</td> <td></td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Schindle</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Freyberg</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table>	Aye	Nay		_____	_____	Norland	_____	_____	Schindle	_____	_____	Freyberg	_____	_____	Steiner	_____	_____	Dehen	SUPPORTING DOCUMENTS ATTACHED <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Resolution</td> <td style="text-align: center;">Ordinance</td> <td style="text-align: center;">Contract</td> <td style="text-align: center;">Minutes</td> <td style="text-align: center;">Map</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td colspan="2" style="text-align: center;">Other (specify) _____</td> <td colspan="3" style="text-align: center;">Hearing Notice _____</td> </tr> <tr><td colspan="5"> </td></tr> <tr><td colspan="5"> </td></tr> <tr><td colspan="5"> </td></tr> <tr><td colspan="5"> </td></tr> </table>		Resolution	Ordinance	Contract	Minutes	Map	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other (specify) _____		Hearing Notice _____																						
Aye	Nay																																																						
_____	_____	Norland																																																					
_____	_____	Schindle																																																					
_____	_____	Freyberg																																																					
_____	_____	Steiner																																																					
_____	_____	Dehen																																																					
Resolution	Ordinance	Contract	Minutes	Map																																																			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																																																			
Other (specify) _____		Hearing Notice _____																																																					
<input type="checkbox"/> Workshop <input checked="" type="checkbox"/> Regular Meeting <input type="checkbox"/> Special Meeting	<input type="checkbox"/> Refer to: _____ <input type="checkbox"/> Table until: _____ <input type="checkbox"/> Other: _____																																																						

NOTICE OF PUBLIC HEARING TO APPROVE 2012 COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM (CDBG) ACTION PLAN
CITY OF NORTH MANKATO

NOTICE IS HEREBY GIVEN that the City Council of the City of North Mankato, Minnesota, will meet in the Council Chambers of the Municipal Building, 1001 Belgrade Avenue, North Mankato, Minnesota, at 7 p.m. on the 2nd day of April, 2012, to hold a public hearing to approve 2012 Community Development Block Grant Program (CDBG) Action Plan.

Such persons as desire to be heard with reference to this issue should appear at this meeting.

Dated this 19th day of March 2012.

Nancy Gehrke, CMC
City Clerk
City of North Mankato, Minnesota

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item # 12A

Department: Admin.

Council Meeting Date: 03/19/12

TITLE OF ISSUE: Res. Declaring Surplus Vehicles

BACKGROUND AND SUPPLEMENTAL INFORMATION: The vehicles on the enclosed resolution are surplus to our needs and we ask the Council to adopt the resolution declaring them as surplus. We have agreed to sell the 2009 Ford Crown Victoria to South Central College for \$3,000. They will use the vehicle in their public safety training classes. We believe this price to be representative of what would have been offered by the taxi companies typically for our used public safety vehicles.

If additional space is required, attach a separate sheet

REQUESTED COUNCIL ACTION: Adopt Resolution

For Clerk's Use:

Motion By: _____

Second By: _____

Vote Record:

Aye

Nay

____ Norland

____ Schindle

____ Freyberg

____ Steiner

____ Dehen

SUPPORTING DOCUMENTS ATTACHED

Resolution

Ordinance

Contract

Minutes

Map

☒ X

☐

☐

☐

☐

Other (specify) _____

☐ Workshop

☒ Regular Meeting

☐ Special Meeting

☐

Refer to: _____

☐

Table until: _____

☐

Other: _____

RESOLUTION NO.

RESOLUTION DECLARING SURPLUS VEHICLES

WHEREAS, the City of North Mankato owns the following vehicles:

2009 Ford Crown Victoria, 4-Door Sedan, Dark Blue, Police Interceptor Package,
VIN: 2FAHP71V69X138504, 100,055 miles

1983 GMC One-Ton Flatbed Utility Truck, VIN: 1GDHC34J7DV507450, 118,145
miles

1996 Ford Bronco, VIN: 1FMEU15N1TLB82908, 117,618 miles; and

WHEREAS, these vehicles were replaced, causing them to become surplus;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF
NORTH MANKATO, MINNESOTA, that the aforementioned vehicles be declared surplus and
that the sale of said vehicles is hereby authorized.

Adopted by the City Council this 19th day of March 2012.

Mayor

City Clerk

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item # 12B	Department: Admin.	Council Meeting Date: 03/19/12
-------------------	--------------------	--------------------------------

TITLE OF ISSUE: Schools and Conferences
--

BACKGROUND AND SUPPLEMENTAL INFORMATION: For items 1-2 we are requesting actual and necessary expenses for the listed employees to attend the schools and conferences listed. No out-of-state travel is involved.
--

If additional space is required, attach a separate sheet

REQUESTED COUNCIL ACTION: Approve actual and necessary expenses
--

For Clerk's Use:																			
Motion By: _____ Second By: _____																			
Vote Record: <table style="margin-left: 20px;"> <tr> <td style="text-align: center;">Aye</td> <td style="text-align: center;">Nay</td> <td></td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Schindle</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Freyberg</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table>	Aye	Nay		_____	_____	Norland	_____	_____	Schindle	_____	_____	Freyberg	_____	_____	Steiner	_____	_____	Dehen	
Aye	Nay																		
_____	_____	Norland																	
_____	_____	Schindle																	
_____	_____	Freyberg																	
_____	_____	Steiner																	
_____	_____	Dehen																	

SUPPORTING DOCUMENTS ATTACHED				
Resolution	Ordinance	Contract	Minutes	Map
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other (specify) _____		Travel & Training Requests _____		

<input type="checkbox"/> Workshop <input checked="" type="checkbox"/> Regular Meeting <input type="checkbox"/> Special Meeting
--

<input type="checkbox"/>	Refer to: _____
<input type="checkbox"/>	Table until: _____
<input type="checkbox"/>	Other: _____



Date: 03-09-12

CITY OF NORTH MANKATO
Training and Travel Request

Department: Police

Names: Chris Boyer

Number of Personnel Attending: 1

Event: Incident Command System EOC/Interface

Dates: 04-16-2012

Location: St. Paul

Required Training for Certification/License: ☒ Yes ☐ No

What Certification/License is this training required for? P.O.S.T.

Emergency management

Description: (see Attached)

From: HSEM.Training@state.mn.us
To: 701@nmpd.org
Date: 03/09/2012 12:34 PM
Subject: HSEM Course Registration Confirmation

This is your confirmation of registration for the following training course:

Participant Name:	Chris J Boyer
Class Code:	*G191
Class Name:	Incident Command System/EOC Interface
Registration Time:	0800
Date:	4/16/2012
Time:	0815 - 1645
Location:	State Emergency Operations Center, St. Paul 444 Cedar Street, Suite 223 St. Paul MN 55101
Notes:	<p>The Minnesota Peace Officer Stands and Training (POST) Board has approved this course for 7 hours of continuing education credit.</p> <ul style="list-style-type: none"> • Course Title: Incident Command/Emergency Operating Center Interface • Course Number: 9047-0184 • Credit Hours Approved: 07 • Course Approval Date: August 7, 2009 through August 6, 2012 <p>For continuing education credit, peace officers should keep copies of their course training materials and course completion certificate to support their request for continuing education credit, in the event they are audited by the POST Board.</p> <p>Course materials are printed, 3-hole punched and secured with a single metal book ring. Due to cost, vinyl binders are no longer provided, so please feel free to bring your own spare binder to class.</p>
Agenda:	Unit 1 - Course Introduction; Unit 2 ICS Overview; Unit 3: ICS/EOC Interface Exercise 1; Unit 4: MAC/EOC Principles Overview; Unit 5: ICS/EOC Relationships; Unit 6: ICS/EOC Interface Exercise II; Unit 7: ICS/EOC Action Planning; Unit 8: Course Summary

If you need directions, please click here to use MapQuest:

<http://www.mapquest.com>.

If you are unable to attend this class, please go to the following address and cancel your registration:

http://www.dps.state.mn.us/dhsem/HSEM_Training/hsemIndex.asp

We look forward to your arrival and participation in this training activity and hope that your educational experience with the Minnesota Division of Homeland Security and Emergency Management is a rewarding one.

Sincerely,

Lois Anderson
HSEM Training Officer



Date: 03-09-12

CITY OF NORTH MANKATO
Training and Travel Request

Department: Police

Names: Chris Boyer

Number of Personnel Attending: 1

Event: Principles of Emergency mgmt. / planning

Dates: 04-17-12

Location: New Brighton

Required Training for Certification/License: ☒ Yes ☐ No

What Certification/License is this training required for? P.O.S.T.

Emergency management

Description: (see attached)

From: HSEM.Training@state.mn.us
To: 701@nmpd.org
Date: 03/09/2012 12:50 PM
Subject: HSEM Course Registration Confirmation

This is your confirmation of registration for the following training course:

Participant Name:	Chris J Boyer
Class Code:	*PDS230/235
Class Name:	Principles of EM/Planning PDS Capstone
Registration Time:	0800
Date:	4/17/2012
Time:	0815 - 1630
Location:	New Brighton Public Safety Training Room, New Brighton 785 Old Highway 8 NW New Brighton MN
Notes:	<p>The Minnesota Peace Officer Standards and Training (POST) Board has approved this workshop for continuing hours of credit.</p> <ul style="list-style-type: none"> • Course Title: Principles of Emergency Management/Emergency Planning • Course Number: 9047-0191 • Credit Hours Approved: 03 • Course Approval Date: August 7, 2009 through August 6, 2012 <p>For continuing education credit, peace officers should keep a copy of their course material and course completion certificate in the event they are audited by the POST Board.</p> <p>Course materials are printed, 3-hole punched and secured with a single metal book ring. Due to cost, vinyl binders are no longer provided, so please feel free to bring your own spare binder to class.</p>
Agenda:	<p>This course consists of four modules. The first module includes the concepts of emergency management and its integration of systems, basic definitions, identification of hazards and their analyses. The second module outlines the role of the local emergency manager. The third module addresses the coordination of various systems and agreements among various governments. In the fourth module, the participants demonstrate their abilities to work and apply the skills and information gained in the first three modules.</p> <p>THIS TRAINING IS IN THE UPSTAIRS TRAINING ROOM at the New Brighton facility. You will not be able to access this room using the elevator until 8:00 a.m. You can access the room earlier via the stairs. Class is not scheduled to begin until 8:15</p>

If you need directions, please click here to use MapQuest:
<http://www.mapquest.com>.

CITY OF NORTH MANKATO

REQUEST FOR COUNCIL ACTION



Agenda Item # 13A	Department: City Clerk	Council Meeting Date: 03/19/12																																	
TITLE OF ISSUE: Res. Establishing Precincts and Polling Places																																			
BACKGROUND AND SUPPLEMENTAL INFORMATION: Due to the redistricting of the State of Minnesota, it is necessary for the City of North Mankato to re-establish precinct boundaries within 60 days of the completion of legislative redistricting or by April 3, 2012, whichever comes first. We are proposing seven precincts, with Precinct 7 being in the growth area of the City and the precinct that will be in a separate Commissioner District. Precincts 1-3 will be in one full Commissioner District and Precincts 4-6 in the other full Commissioner District. Approval has been granted from each proposed polling place to hold elections at these locations. All polling places comply with Minnesota Statute. Necessary action by the City Council is to adopt a resolution establishing precincts and designating polling places for the 2012 Primary and General Elections.																																			
If additional space is required, attach a separate sheet																																			
REQUESTED COUNCIL ACTION: Adopt Resolution																																			
For Clerk's Use: Motion By: _____ Second By: _____ <table style="width: 100%; border: none;"> <tr> <td style="width: 15%;">Vote Record:</td> <td style="width: 10%; text-align: center;">Aye</td> <td style="width: 10%; text-align: center;">Nay</td> <td></td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Norland</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Schindle</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Freyberg</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Steiner</td> </tr> <tr> <td></td> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> <td>Dehen</td> </tr> </table>	Vote Record:	Aye	Nay			_____	_____	Norland		_____	_____	Schindle		_____	_____	Freyberg		_____	_____	Steiner		_____	_____	Dehen	SUPPORTING DOCUMENTS ATTACHED <table style="width: 100%; border: none;"> <tr> <td style="text-align: center;">Resolution</td> <td style="text-align: center;">Ordinance</td> <td style="text-align: center;">Contract</td> <td style="text-align: center;">Minutes</td> <td style="text-align: center;">Map</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> Other (specify) _____ _____ _____ _____ _____	Resolution	Ordinance	Contract	Minutes	Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vote Record:	Aye	Nay																																	
	_____	_____	Norland																																
	_____	_____	Schindle																																
	_____	_____	Freyberg																																
	_____	_____	Steiner																																
	_____	_____	Dehen																																
Resolution	Ordinance	Contract	Minutes	Map																															
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																															
<input type="checkbox"/> Workshop <input checked="" type="checkbox"/> Regular Meeting <input type="checkbox"/> Special Meeting	<input type="checkbox"/> Refer to: _____ <input type="checkbox"/> Table until: _____ <input type="checkbox"/> Other: _____																																		

RESOLUTION NO.

RESOLUTION ESTABLISHING
PRECINCTS AND POLLING PLACES

WHEREAS, the legislature of the State of Minnesota has been redistricted; and

WHEREAS, Minnesota Statute Section 204B.14, subd. 3(d) requires that precinct boundaries must be established within 60 days of when the legislature has been redistricted or at least 19 weeks before the State primary election, whichever comes first;

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF NORTH MANKATO, COUNTY OF NICOLLET, STATE OF MINNESOTA hereby establishes the boundaries of the voting precincts and polling places as follows:

Precinct 1	St. Paul's Lutheran Church 304 Monroe Avenue
Precinct 2	Holy Rosary School 546 Grant Avenue
Precinct 3	Police Annex Community Room 1001 Belgrade Avenue
Precinct 4	Oak Terrace West 1570 Tower Boulevard
Precinct 5	Peace Lutheran Church 2090 Commerce Drive
Precinct 6	Fire Station No. 2 1825 Howard Drive
Precinct 7	Monarch Meadows 2135 LorRay Drive

Attached to this resolution, for illustrative purposes, is a map showing said precincts and the location of each polling place.

Adopted by the City Council this 19th day of March 2012.

Mayor

City Clerk



CITY OF NORTH MANKATO

PROCLAMATION

WHEREAS, nearly 26 million Americans, including many adults in the North Mankato/Mankato area, have diabetes, a serious disease that has no cure; and

WHEREAS, approximately a quarter of the people with diabetes don't know that they have the disease; and

WHEREAS, another 79 million, or one in three American adults have pre-diabetes, a condition that puts them at greater risk for developing type 2 diabetes; and

WHEREAS, diabetes has many faces affecting everyone, young and old alike; and

WHEREAS, minority populations in the United States have an increased risk for developing type 2 diabetes; and

WHEREAS, one in three American adults will have diabetes by 2050, if current trends continue; and

WHEREAS, diabetes is the seventh-leading cause of death by disease in the United States; and

WHEREAS, people with undiagnosed diabetes may experience damage to the heart, eyes, kidneys and limbs, without producing any symptoms; and

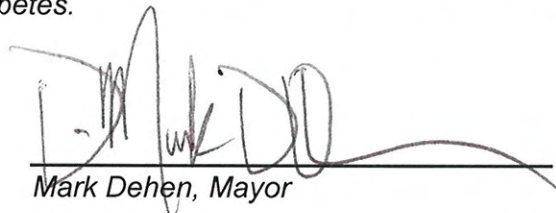
WHEREAS, an increase in community awareness of risk factors and symptoms related to diabetes can improve the likelihood that people with diabetes will get the attention they need before suffering the devastating complications;

NOW, THEREFORE, I, Mark Dehen, Mayor of the City of North Mankato, Minnesota, do hereby proclaim March 27, 2012, to be

AMERICAN DIABETES ASSOCIATION ALERT DAY

in the City of North Mankato, and encourage all citizens to help fight this disease and its deadly complications by increasing awareness of the risk factors for diabetes, making healthy lifestyle choices and providing support for those suffering from diabetes.

Dated this 19th day of March 2012.



Mark Dehen, Mayor



CLAIM REPORT
FOR REGULAR COUNCIL MEETING OF MARCH 19, 2012

71385	Void	Void	(\$12.00)
71422	POST Board	Police Officer licenses-Police Dept.	\$270.00
71423	HickoryTech	telephone & internet bill-All Depts.	\$3,650.53
71424	Verizon Wireless	cell phone bill-Comm Dev, Port Auth & Public Access	\$178.44
71425	Affinity Plus Fed Credit Union	employee payroll deductions	\$192.62
71426	ICMA Retirement Trust - 457	employee payroll deductions	\$4,428.85
71427	ICMA Retirement Trust - Roth IRA	employee payroll deductions	\$430.77
71428	Stott, Mike, Sr.	airplane & radio control for drawing-Comm Dev	\$761.88
71429	Wells Concrete Products	concrete for sculpture bases-Comm Dev	\$283.77
71430	Charter Communications	high speed data service-Pol, Fire, Contingency & P/A	\$442.96
71431	Stott, Mike, Sr.	model airplane drawing-Library	\$300.00
71432	Cardmember Service	charge card items-All Depts.	\$9,166.96
71433	AT & T Mobility	cell phone bill-Bookmobile	\$24.22
71434	Verizon Wireless	cell phones, internet & cell phone bill-All Depts.	\$1,695.50
71435	Coldwell Banker Commercial Fisher	earnest money to purchase 815 Park-Port Authority	\$1,000.00
	Allied 100, LLC	AED cabinet for audible alarm-Mun Bldg & Fire	\$478.00
	Ameripride Services	mats, uniform & towel service-All Depts.	\$553.35
	American Legal Publishing Corp.	internet for code ordinances-Contingency	\$203.00
	Anderson Consulting	consulting services-Comm Dev	\$1,050.00
	Audio Editions	audio books-Library	\$409.49
	Baker & Taylor	books-Library & Bookmobile	\$18.82
	Barnes & Noble	books-Library	\$27.93
	Bauer's Upholstery	equipment repair-Water Dept.	\$111.38
	Blue Earth County Sheriff's Office	forfeiture-Task Force	\$890.00
	Blue Earth County	phone bill-Task Force	\$27.02
	Bock, Beth	membership dues for notary assn-Task Force	\$19.00
	Boyer Trucks	equipment parts-Street Dept.	\$204.20
	Braun Intertec Corporation	professional service-Local Option Sales Tax	\$10,250.00
	Caretakers of Mankato	snow removal-Public Access	\$189.76
	Carquest Auto Parts	equipment parts & supplies-All Depts.	\$475.75
	Catco Parts Service	equipment parts-Street Dept.	\$94.18
	CDW Government	software license & maintenance-Contingency	\$971.43
	Chart Pool USA, Inc.	supplies-Sewer Dept.	\$159.25
	City Center Partnership	purchase of sculpture "Spirit of Energy"-Sales Tax	\$9,019.50
	City of Mankato	Lake St. Flood Control & water bill-Storm Wtr & P/A	\$32,665.04

CLAIMS CONTINUED

City of St. Paul	training-Police Dept.	\$915.00
Computer Technology Solutions	office supply-Public Access	\$284.54
Connect Business Magazine	ad-Comm Dev	\$124.00
Crysteel Truck Equipment	tool boxes & light bars-2011 Const	\$2,178.11
Culligan Water Conditioning	water cooler cleaning-Public Access	\$26.72
Cushman Water Co., Inc.	equipment parts-Park Dept.	\$926.28
DEMCO, Inc.	supplies-Library	\$205.26
Discount Paper Products, Inc.	supplies-Library	\$211.48
Express Services, Inc.	temporary crossing guards-Police	\$585.58
Fastenal Company	bolts for water by-pass-Capital Facilities Water	\$8.56
Ferguson Enterprises, Inc.	equipment parts-Water Dept.	\$556.83
Ferrellgas	LP gas-Sanitation	\$267.74
Flags USA, Inc.	flags-Park Dept.	\$185.00
Free Press	ads-Comm Dev, Contingency & Port Authority	\$428.65
G & L Auto Supply	equipment parts & supplies-Street & Water	\$1,051.16
Gale Group	books-Library	\$289.49
Gopher State One-Call	equip rental/utility digging notification service-Insp	\$52.30
Grand Forks Public Library	replace lost book-Library	\$14.95
Hansen Sanitation	refuse pickup-All Depts.	\$179.12
Holtmeier Construction, Inc.	rock-2011 Construction	\$960.64
Home Magazine	ad-Contingency	\$80.00
Ingram Library Services	books-Library & Bookmobile	\$1,968.78
Jeane Thorne	professional service-Task Force	\$1,120.00
Johnson, Lonnie	travel expenses for conference-Water Dept.	\$29.78
Judd, John	supplies & travel expenses-Task Force	\$515.03
Keller, J.J. & Associates, Inc.	drug testing-All Depts.	\$221.60
Kennedy & Kennedy Law Office	legal services-Attorney	\$7,776.40
Kleist, Randy	travel expenses for conference-Water Dept.	\$35.70
L & D Body Shop	equipment repair-Water Dept.	\$300.00
LJP Enterprises of St. Peter	wire baling-Sanitation	\$180.00
LJP Waste & Recycle	transportation charges-Sanitation	\$342.40
Lager's of Mankato, Inc.	equipment parts-Park & Water Depts.	\$208.08
Long-Term Care	long-term care payment payroll deduction	\$327.28
Mac Tools Distributor	supply, punch & chisel tool set-Shop	\$294.99
Mac Queen Equipment, Inc.	equipment parts-Street Dept.	\$7,710.29
Mankato Bearing Company	equipment parts & supplies-Shop & Park Depts.	\$86.24
Mankato Ford, Inc.	equipment parts-Police & Street Depts.	\$584.20
Mankato Oil & Tire Company	equipment parts-Task Force	\$180.73
Mankato Public Schools	transportation for special program-Library	\$113.20
Mankato Rotary Club	luncheon-Mayor	\$20.00

CLAIMS CONTINUED

Matheson Tri-Gas, Inc.	welding supplies-Shop	\$199.18
Mayo Clinic Health System	physicals-Fire Dept.	\$5,061.00
Menards-Mankato	supplies-Park Dept.	\$55.53
Miller Motors	tires-Park Dept.	\$536.40
Minnesota Iron & Metal Co.	building materials & equip parts-Street & Comm Dev	\$380.69
Minnesota Pipe & Equipment	water meters, equip parts & materials for water by-pass	\$7,994.93
Minnesota Valley Testing Lab	water testing-Water Dept.	\$158.75
Minnesota Waste Processing Co.	processing fees-Sanitation	\$17,494.42
Morgan, Shawn	running shoes-Police Physical Fitness	\$79.50
MRCI	wages for MRCI employees-Sanitation	\$8,117.29
Neubert Millwork	materials for roof repair-Local Option Sales Tax	\$49.99
North Central International	equipment parts-Street & Sewer Depts.	\$281.21
Northern States Supply, Inc.	bench grinder-Shop	\$270.09
Paragon Printing, Mailing & Specialties	office supplies-Task Force	\$117.74
Petty Cash, Clara Thorne	petty cash items-All Depts.	\$298.53
Phillips, Kyle	equipment parts & supplies-Task Force	\$141.25
Plunkett's Pest Control, Inc.	professional service-Street Dept.	\$100.50
Quest Diagnostics	drug testing-Fire Dept.	\$186.75
River Bend Business Products	copier maint & supplies-Library & Public Access	\$1,005.68
Shine-Way Janitorial Service, Inc.	carpet cleaning-Mun Bldg, Fire & Library	\$349.54
Sign Pro	supplies- Police, Inspection & Water Depts.	\$30.07
South Central College	training-Task Force	\$200.00
Southern Minnesota Construction	road sand-Street Dept.	\$131.70
SPS Companies, Inc.	brine tank repairs-Street Dept.	\$12.31
Staples Advantage	office supplies-All Depts.	\$110.55
Streicher's	supplies for new rifles-Police Dept.	\$517.54
Tire Associates	equipment parts & tires-Police, Street & Park	\$2,011.04
Titan Machinery	equipment parts-Street Dept.	\$110.39
Tool Sales Company	supplies-Fire & Shop	\$112.57
Toppers Plus, Inc.	2000 Ford S-Duty plow & hitch-Equipment Certificates	\$5,204.81
Tostenson, Derek	travel expenses for conference-2011 Construction	\$92.30
Tri-County Communications	equipment repair-Shop	\$75.00
Tscherter, Brian	refund building permit #0077-2012	\$49.94
Uniforms Unlimited	collar brass & badge-Police Dept.	\$154.93
US Postal Service	postage-All Depts.	\$3,000.00
Van Genderen, April	pizza for special program-Library	\$40.30
Viking Automatic Sprinkler Co.	repair sprinkler system-Sanitation	\$525.00
Viking Fire & Safety	service fire extinguishers-Police & Fire Depts.	\$148.60
Viking Electric Supply	electrical supplies-Str, Str Lighting & Cap Fac Water	\$607.94
VoyageurWeb	retainer for web site-Contingency	\$925.00

CLAIMS CONTINUED

Wells Fargo Corporate Trust Service	principal & interest-GO Improvement Bonds of 2009	\$223,681.25
Wenzel Auto Electric Co.	equipment parts-Caswell	\$65.26
Werner Electric Supply	electrical supplies-Local Option Sales Tax & Sewer	\$480.30
Westman Freightliner	equipment parts-Street & Park Depts.	<u>\$154.04</u>
Total		<u><u>\$393,497.52</u></u>

CLAIMS CONTINUED

General	\$48,262.95
Library	\$5,450.84
Bookmobile	\$711.30
Community Development	\$2,518.15
Local Option Sales Tax	\$9,112.76
Contingency	\$2,686.87
Port Authority	\$1,079.96
Capital Facilities & Equipment Replacement-Water	\$5,912.51
GO Improvement Bond of 2009	\$223,681.25
Equipment Certificates	\$5,204.81
Local Option Sales Tax Construction	\$10,299.99
2011 Construction	\$3,231.05
Water	\$5,981.54
Sewer	\$2,440.42
Sanitary Collection	\$27,527.48
Storm Water	\$32,688.36
Public Access	\$2,017.25
Minnesota River Valley Drug Task Force	<u>\$4,690.03</u>
Total	<u><u>\$393,497.52</u></u>

PORT AUTHORITY INVOICES
FOR REGULAR COUNCIL MEETING OF MARCH 19, 2012

Verizon Wireless	cell phone bill-Port Authority	\$54.86
Coldwell Banker Commercial Fisher	earnest money to purchase 815 Park-Port Authority	\$1,000.00
Free Press	ad-Port Authority	<u>\$25.10</u>
Total		<u><u>\$1,079.96</u></u>

List of Port Authority Bills in the Amount of \$1,079.96

Council Meeting of March 19, 2012

Mayor Mark Dehen

Council Member Bill Schindle

Council Member Diane Norland

Council Member William Steiner

Council Member Robert Freyberg

List of Bills in the Amount of \$393,497.52

Council Meeting of March 19, 2012

Mayor Mark Dehen

Council Member Bill Schindle

Council Member Diane Norland

Council Member William Steiner

Council Member Robert Freyberg